MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 3, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Kullijian, Mensinger, Siefkin, Mayor Davies
Absent: Councilmembers Elliott, Newton

Pledge of allegiance to the Flag.
Invocation by Reverend Louis Dykstra, Christian Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 5, 6, 7, 8, 16, 17, 19, 20, 22, 23, 25
Items 14, 15, 18 and 21 dropped from consent
Siefkin/Kullijian, unan. - Elliott and Newton, 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 Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council.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. Minutes of regular meeting of December 27, 1976.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Leo R. Piland regarding trees.

ACTION: Res. 77-1 adopted (Kullijian/Dunlap, unan. - Elliott and Newton, absent) requiring payment for tree and providing payment over a period of time. (P & R to handle)

CONSENT
3. Letter from John L. Ward appealing decision of Planning Commission to rezone from Medium-High Density Residential Zone, R-3, to Planned Development Zone, P-D, to permit commercial development on the west side of Tully Road, north of Standiford Avenue.
(Resolution setting hearing January 24, 1977 at 7:45 P.M. needed)

ACTION: Res. 77-2 adopted setting hearing. (Clerk to handle)

BIDS

4. Consider approval of plans and specifications and call for bids for construction of waterlines in Reno Avenue.
(Suggested bid opening date January 18, 1977 at 11:10 A.M. This project will extend water to Western Electric Company on Reno Ave. Resolution approving bid call needed. Estimated cost $10,371 ($9,771 Constr., $600 Engr.). Funds are budgeted)

ACTION: (Mayor Davies was excused from this item due to conflict of interest)

By motion (Mensinger/Kullijian, unan. - Elliott, Newton and Mayor Davies, absent) Councilmember Dunlap was elected Mayor Pro Tem.

Res. 77-3 adopted (Kullijian/Mensinger, unan. - Elliott, Newton and Mayor Davies, absent) approving plans, specifications and bid call. (P/W to handle)

CONSENT

5. Approve plans and specifications and call for bids for improvement of Tully Road and Carver Road at Hetch Hetchy right of way. (Bid opening January 18, 1977 at 11:00 A.M. This project will complete the street improvements on the Hetch Hetchy right of way on the west side of Tully Road and the east side of Carver Road. Resolution approving bid call needed. Estimated cost $12,468 (Contract $11,334; Engr. $1,133). Funds are budgeted)

ACTION: Res. 77-4 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for construction of Carver Glen No. 2 waterlines and authorize the City Manager to sign a revocable permit with Hetch Hetchy Water and Power to allow crossing under their waterlines. (Bid opening January 18, 1977 at 11:20 A.M. Costs and Revenues: Construction, $68,435; Connection charges, $33,000; Net revenue, $2,610. Resolution approving bid call needed; Resolution authorizing City Manager to sing revocable permit with Hetch Hetchy Water & Power needed. Estimated cost $68,435. ($57,535, contract; $10,900 Engr. & Mtls. Funds are budgeted)

ACTION: Res. 77-5 adopted approving plans, specifications and bid call. (P/W to handle)

Res. 77-6 adopted authorizing City Manager to sign revocable permit. (P/W to handle)

CONSENT

7. Consider acceptance of Joe Martin's contract for construction of waterlines in Havenbrook Park No. 3. Original contract $7,269.50. (All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Contract, $6,919.80; (main, $6,219.80; Services, $700.00). Funds are budgeted)

ACTION: Res. 77-7 adopted accepting contract as complete. (Clerk to handle)

CONSENT

8. Consider acceptance of Bill Mineni contract for construction of utility building at Coleman Brown Park. (Original contract, $44,000. All work on this project has been completed to the satisfaction of the Parks and Recreation Department and the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost, contract, $44,130.55. Funds are budgeted)

ACTION: Res. 77-8 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

9. Hearing, sign ordinance, outdoor signs. 4:00 P.M.
(At its 12/27/76 meeting, the Council declared its intent to continue this hearing to January 17, 1977 at 4:20 P.M.)

ACTION: (Councilmember Mensinger was excused from this item due to conflict of interest)

By motion (Dunlap/Kullijian, unan. - Elliott, Mensinger and Newton, absent) hearing continued to January 17, 1977 at 4:20 P.M. (Clerk to handle)

10. Hearing, proposed rezoning from Low Density-Residential Zone, R-1 to Medium Density Residential Zone, R-2, property located on the south side of E. Orangeburg, between Melrose and Fiori. (N. C. MacDannald) 4:10 P.M.

ACTION: Ord. No. 1571-C.S. introduced (Kullijian/Dunlap, unan. - Elliott and Newton, absent) rezoning area. (Clerk to handle)

Res. 77-9 adopted (Kullijian/Dunlap, unan. - Elliott and Newton, absent) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

11. Hearing, appeal of Sanders Construction Co. to the decision of the Planning Commission denying the rezoning from R-1 to P-D to allow a General Commercial Complex, property located on the east side of Dale Road, north of the MID Lateral No. 7. 4:15 P.M.

ACTION: Resolution denying appeal failed to pass (Siefkin/Mensinger - Dunlap and Mayor Davies, no - Elliott and Newton, absent).

Public hearing was reopened, and by motion (Dunlap/Kullijian, unan. - Elliott and Newton, absent) hearing continued to February 28, 1977 at 7:35 P.M. (Clerk to handle)

12. Hearing, appeal to E.A.C. requirement of an Environmental Impact Report at the southwest corner of Orangeburg and Claus. (E.A. No. 76-213 - John Zamora) 4:20 P.M.

ACTION: (Councilmember Kullijian was excused from this item due to conflict of interest)

Res. 77-10 adopted (Dunlap/Siefkin, unan. - Elliott and Newton, absent) granting appeal of John Zamora. (Planning to handle)

13. Matters for the good of the community. (These may be presented by interested persons in the audience) 4:25 P.M.

NONE

ORDINANCES

14. Adoption of the following ordinances: (Motion with roll call vote required)

(Councilmember Kullijian was excused from consideration of these items due to conflict of interest)

(a) Ord. No. 1564-C.S. amending Section 24-3-8 of zoning map. (Paul M. Zagaris)

ACTION: By motion (Dunlap/Mensinger, unan. - Elliott, Kullijian and Newton, absent) Ord. No. 1564-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1565-C.S. amending Section 12-3-8 of zoning map. (Ven Dale Properties)

ACTION: By motion (Dunlap/Mensinger, unan. - Elliott, Kullijian, and Newton, absent) Ord. No. 1565-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1566-C.S. amending Section map 23-3-9. (St. Paul's Episcopal Church)

ACTION: By motion (Dunlap/Mensinger, unan. - Elliott, Kullijian and Newton, absent) Ord. No. 1566-C.S. adopted. (Clerk to handle)

14. Adoption of the following ordinances, continued.

(d) Ord. No. 1567-C.S. amending Section map 16-3-9. (Lawyer & Adams)

ACTION: By motion (Dunlap/Mensinger, unan. - Elliott, Kullijian and Newton, absent) Ord. No. 1567-C.S. adopted. (Clerk to handle)

(e) Ord. No. 1568-C.S. amending section map 9-3-9. (Grand Prix Group)

ACTION: By motion (Dunlap/Mensinger, unan. - Elliott, Kullijian and Newton, absent) Ord. No. 1568-C.S. adopted. (Clerk to handle)

NEW BUSINESS

15. Consider approval of agreement with John Paoluccio Consulting Engineers for design of new hearing and air conditioning system for Fire Station No. 1.
(The existing hearing and air conditioning system has served its useful life and needs to be replaced. Funds have been budgeted in connection with the construction of the annex to replace the existing equipment. A report was prepared by John Paoluccio Consulting Eningeers outlining various alternatives. It is recommended that the report be implemented at this time. Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 77-11 adopted (Dunlap/Kullijian, unan. - Elliott and Newton, absent) approving agreement. (P/W to handle)

CONSENT

16. Consider approval of agreement with Duane D. Stone and Associates for preparation of plans and specifications for construction of Fire Station No. 6.
(On October 4, 1976, the City Council authorized the staff to negotiate an agreement with Duane D. Stone for preparation of plans and specifications. The agreement has been made and it would now be in order to approve the agreement. Resolution approving agreement needed. Estimated cost $15,360. Funds are budgeted)

ACTION: Res. 77-12 adopted approving agreement. (P/W to handle)

CONSENT

17. Agreement renewing lease for Central California Art League, Inc.
(The agreement would renew the lease with the Central California Art League to lease rooms AL 1, AL 2, AL 3, and AL 4 at the McHenry Museum, December 14, 1976. The lease will be a year to year lease that can be cancelled at the end of any lease year with 60 days prior written notice. The rent will be increased from $130 per month to $157 per month. The property damage will increase from $25,000 to $50,000. (Resolution approving needed)

ACTION: Res. 77-13 adopted approving agreement. (P & R to handle)

18. Consider approval of revision to "Environmental Assessment Committee Initial Study and Findings" and "Environmental Checklist" forms and approve new "Environmental Information Form."
(The California Environmental Quality Act (CEQA) has been revised and as a result necessitates the revision of two of the Environmental Assessment Committee forms and the addition of a new form. Additional revisions to the Environmental Guidelines will also be required within the next 30 to 60 days. Memo with agenda. Resolution approving revision of two existing forms and also approving a new form needed)

ACTION: Res. 77-14 adopted (Kullijian/Dunlap, unan. - Elliott and Newton, absent) that the forms be approved with the wording of Item 24 of the Environmental Information Form be changed to read "public services" instead of "municipal services" and add "schools" to the paranthetical list. (P/W to handle)

CONSENT

19. Report of Superintendent of Streets on the cost of alley resurfacing at the locations listed below:
(Seven resolutions setting 7:30 P.M. on February 14, 1977 for hearings needed)

BLOCK 2 - H STREET - G STREET - FIRST STREET - SECOND STREET

(a) Gary G. Leong, Lots 1 & 2, $94.79.

(b) Dorothy M. Shively, Lots 3 & 4, (Paid)

(c) Albin E. and Mable M. Ostlund, Lots 5 and 6, $94.79.

(d) Pablo Gomez, Lots 7 & 8, $94.79

(e) Joseph F. Salazar, Lots 9 & 10, $94.79.

(f) Diana Bettencourt, Lots 11 & 12, $94.79.

(g) Newton L. Cox, Lots 13 & 14, $94.79.

(h) United Commercial Travel #718, Lots 15 & 16, $94.79.

(i) William E. and Ruth Kennedy, Lots 17, 18, 19, 20, $189.58.

(j) Thomas E. and Jessie B. Hardy, Lots 21 & 22, $94.79.

(k) John E. Gustafson, Lots 23 and 24, $94.79.

(l) Jack & Vila Johnson, Lots 25 & 26, $94.79.

(m) Modesto High School District, Lots 27, 28, 29, 30, 31, & 32, $284.36.

ACTION: Res. 77-15 adopted setting hearing. (Clerk to handle)

BLOCK 1238 - EAST GRANGER, HONEYSUCKLE & BRIGGSMORE

(a) Kenneth L. and Dorothy M. Britt, Lot 6, $101.03.

(b) Josephine McSpadden, Lot 7, $101.03.

(c) Benjamin and Helen Gillander and James and Thelma McKinnon, Lot 8, $101.03.

(d) Mildred C. and Paul L. Rivers, Lot 9, $101.03.

(e) Rosa Loconte, The east 120' of the West 1606.15' of the North 110' of the south 140' of Section 16, $189.97.

(f) National Medical Enterprises, Inc., The east 293' of the west 1486.15' of the north 443' of south 473' of Section 16, $765.06.

ACTION: Res. 77-16 adopted setting hearing. (Clerk to handle)

BLOCK 5322 - EMERALD - LOS OLIVOS - LAUREL - ELM

(a) C. H. and Charlene N. Gray, Lot 1, $140.07.

(b) Jack W. and Phyllis L. Sutton, Lot 2, $137.56.

(c) Dorothy Hale, Lot 3, $137.56.

(d) Robert H. and Babette A. Husman, Lot 4, $137.56.

CONSENT

19. Report of Superintendent of Streets on the cost of alley resurfacing, continued.

BLOCK 5322 - EMERALD - LOS OLIVOS - LAUREL - ELM

(e) Julius H. Greenberg, Lot 5, $137.56.

(f) Maree A. Clark, Lot 6, $134.20.

(g) Dave and Nellie Martinez, Lot 7, $143.73.

(h) Harold C. and Lois E. Lang, Lot 8, $137.56.

(i) Virgie L. and Veren A. Giddens, Lot 9, $228.40.

(j) Guy G. and Ada V. Durr, Lot 10, $58.72.

(k) Raymond and Evalyne P. Aderson, Lot 32, $216.18.

ACTION: Res. 77-17 adopted setting hearing. (Clerk to handle)

BLOCK 6118 - MADRONE - PEPPERWOOD - LINWOOD - TULLY

(a) Ralph J. and Cheryl Simas, the north 60' of south 777.65' of the west 127.96' of the east 172.96' of Section 18, $8.28.

(b) Winnie M. Bachmann, the North 72.64' of the south 717.65' of the west 128' of the east 173' of Section 18, $114.56.

(c) Hilda R. Jackson, the north 60' of the south 645.01' of the west 128' of the east 173' of Section 18, $117.22.

(d) Robert L. Myers and Jewell N. Myers, Lot 1, $8.28.

(e) Harold and Bette R. Simidian, Lot 2, $54.17.

(f) Calvin M. & Marie F. Sturtz, Lot 3, $131.87.

(g) Aldo W. and Thelma B. Ferrini, Lot 4, $131.87.

(h) Frank Azevedo, Jr. and Linda Azevedo, Lot 5, $131.87.

(i) Martha L. Kirton, Lot 6, $131.87.

(j) Loyd M. and Goldie B. Benson, Lot 7, $131.87.

(k) Don A. and Roberta D. Lenkeit, Lot 8, $131.87.

(l) Herbert H. and Constance Staggs, Lot 9, $131.87.

(m) Joseph Whitney and Rowena Alexander, Lot 10, $131.87.

(n) William R. and Mary J. Pedlowe, Lot 11, $131.87.

(o) Timothy A. and Lanier S. Brady, Lot 12, $131.87.

(p) Robert C. and Edna Mae Harrity, Lot 13, $131.87.

(q) Faye W. Pittman, Lot 14, $141.91.

(r) Robert M. and Joyce M. Colville, Lot 15, $227.21.

(s) James Edward and Carole L. Smirfitt, Lot 17, $39.01.

(t) Loyal O. and Idell M. Howard, Lot 18, $128.21.

(u) Kenneth G. and Garnett K. Fenton, Lot 19, $128.21.

CONSENT

10. Report of Superintendent of Streets on the cost of alley resurfacing, continued.

BLOCK 6118 - MADRONE - PEPPERWOOD - LINWOOD - TULLY

(v) Richard H. and Marjorie J. Brown, Lot 20, $128.21.

(w) Raymond A. and Maxine N. Pifer, Lot 21, $150.06.

(x) Maurice E. and Clara H. Bazzell, Lot 22, $126.98.

(y) Joseph D. and Sandra L. Naranjo, Lot 23, $126.98.

(z) Robert H. and Florence M. Garrett, Lot 24, $121.12.

(aa) Aubrey W. and Betty J. Wilson, Lot 25, $107.45.

(bb) Fabian A. and Josephine Smith, Lot 26, $214.90.

(cc) William J. and Susan P. Englert, Lot 27, $151.25.

(dd) Rule Development, S/E corner of Section 18, T.3S., R.9E, Mt. Diablo Base & Meridian; thence West 45'; thence N. 777.65' to the true point of beginning; thence W. 127.96'; thence S. 44'; thence S/W 13.98'; thence W. 117.25'; thence N. 165.37'; thence E. 240.05'; thence 23.52' along a tangent curve concave to the W/W, having a radius of 15'; thence S. 104.16' to the point of beginning. (Paid)

ACTION: Res. 77-18 adopted setting hearing. (Clerk to handle)

BLOCK 6141 - STETSON - ALBANY - WOODMAN - WEST GRANGER

(a) Earl L. and Joan M. McCormick, Lot 13, $114.25.

(b) Dean R. and Marilyn Wilson, Lot 14, $114.25.

(c) Mildred E. Williams, South 57' of Lot 15, $108.53

(d) Gayle M. Canepa, Lot 16 & N. 3' of Lot 15, $119.96.

(e) Estella B. Barnhard, Lot 17, $114.25.

(f) Kenneth E. and Carolyn Jones, Lot 18, $114.25.

(g) Robert L. and Audrey Liebrenz, Lot 19, $114.25.

(h) Andrew and Rose Bille, Lot 20 and the South 15' of Lot 21, $142.81.

(i) Maya Lindsey, North 45' of Lot 21 and the south 20' of Lot 22, $123.77.

(j) Thomas C. and Dawne D. Blank, north 40' of Lot 22 and the south 43' of Lot 23, $158.04.

(k) Leonard J. and Josephine Parra, Lot 24 and the north 17' of Lot 23, $145.57.

(l) Fred B. Otis, Lot 12 and the South 30' of Lot 11, $171.37.

(m) Paul L. and Patricia G. Methvin, Lot 10 and the north 30' of Lot 11, $171.37.

(n) Paul L. and Patricia G. Methvin, Lot 9 and the south 30' of Lot 8, $171.37.

(o) J. V. and Myrtle Ard, South 30' of Lot 7 and the north 30' of Lot 8, $114.25.

CONSENT

19. Report of Superintendent of Streets on the cost of alley resurfacing, continued.

BLOCK 6141 - STETSON - ALBANY - WOODMAN - WEST GRANGER

(p) James and Katherine Turner, north 30' of Lot 7 and the south 30 feet of Lot 6, $114.25.

(q) Martha B. Morrow, north 30' of Lot 6 and the south 30' of Lot 5, $114.25.

(r) Carl C. and Ina M. Nielsen, Lot 4 and the north 30' of Lot 5, $171.37.

(s) Wallace B. and Anna Peterson, Lot 3, $114.25.

(t) Ludwig & Erna Levy, Herbert & Mildred Levy, and Fred and Evelyn Heilbrown, Lot 2, $114.25.

(u) Walter H. and Dorothy Schultz, Lot 1, $114.40.

ACTION: Res. 77-19 adopted setting hearing. (Clerk to handle)

BLOCK 6804 - ENSLEN - LA VILLA ROSE CT. - RALSTON - BRIGGSMORE

(a) Kenneth W. and Isabel Graham, Lot 11 & north 4.20' of Lot 10, $112.29.

(b) Herbert M. and Lorene Cole, South 53.60' of Lot 10 and the north 10.40' of Lot 9, $110.53.

(c) Clyde W. & Addalyn J. Sims, south 47.4' of Lot 9 and the north 16.6' of Lot 7, $110.53.

(d) Frank & Vivian M. Espinola, Jr., south 41.2' of Lot 8 and the north 22.8' of Lot 7, $110.53.

(e) Ludina A. Hicks, south 35' of Lot 7 and the north 29' of Lot 6, $110.53.

(f) Fred G. Herman, south 28.8' of Lot 6 and the north 35.2' of Lot 5, $110.53.

(g) Lynn S. and Mary Ann Wood, south 22.6' of Lot 5 and the north 41.4' of Lot 4, $110.53.

(h) Antonio W. and M. Jean Leonardo, south 16.4' of Lot 4 and the north 47.60' of Lot 3, $110.53.

(i) Roy C. and Lois Huckaby, south 10.2' of Lot 3 and the north 53.8' of Lot 2, (Paid).

(j) Angela S. Boling, Lot 1 and the south 4' of Lot 2, $112.96.

(k) Duane D. Jenner & Irene Jenner, Lot 12, $130.39.

(l) Sidney and Leah Wolfe, Lot 13, $120.89.

(m) Hsing Yun and Marie Fan, Lot 14, $120.89.

(n) Walter W. and Louise C. Netherton, Lot 15 - $120.89.

(o) John H. and Bette D. Cox, Lot 16, $120.89.

(p) Alfred L. and Donna F. Morton, Lot 17, $167.81.

(q) E. R. and Ruby Johnson, Lot 18, $120.89.

CONSENT
19. Report of Superintendent of Streets on the cost of alley resurfacing, continued.

BLOCK 6804 - ENSLEN - LA VILLA ROSE CT. - RALSTON - BRIGGSMORE

(r) Elmer L. and Fay Ballard, Lot 28, $172.70.

ACTION: Res. 77-20 adopted setting hearing. (Clerk to handle)

BLOCK 12953 - WINDSOR LANE - WINDSOR COURT - HAMPSHIRE LANE

(a) James P. Calvert and Kay Calvert, Lot 1, $137.54.

(b) Richard C. and Margie Barham, Lot 2, $123.08.

(c) Richard M. and Grace L. Stewart, Lot 3, $123.04.

(d) Owen G. and Virginia A. Nicholas, Lot 4, $123.04.

(e) Betty H. Leonard, Lot 5, $135.13.

(f) Jess W. and Mildred E. Ayres, Lot 6, $157.68.

(g) Edward B. and Helen H. Ballinger, Lot 23, $204.62.

(h) Willaim T. and Betty L. Scott, Lot 22, $180.87.

(i) Lawrence H. and Katherine D. Moncrief, Lot 21, $364.45.

(j) Paul L. and Mariesta B. Martelli, Lot 20, $28.19.

ACTION: Res. 77-21 adopted setting hearing. (Clerk to handle)

CONSENT
20. Report of Superintendent of Streets on cost of installation of curbs and sidewalks at 601 Coldwell. (Carl R. Rohlwing).
(The construction of this curb and gutter departs from the normal procedure. Memo with agenda. Resolution setting January 17, 1977 at 4:05 P.M. for public hearing needed. Estimated cost $1,252.10. Funds are budgeted)

ACTION: Res. 77-22 adopted setting hearing. (Clerk to handle)

21. Consider procedure for acquisition of right of way on Sunrise Avenue. (Right of way on 56 parcels is required to proceed with the mandatory sidewalk program. Proposed right of way acquisition procedure is explained in memo with agenda. Motion directing staff to proceed needed. Estimated cost $37,800. Funds in amount of $27,000 budgeted. Balance of funds needed requested in 1977-78 CIP)

ACTION: By motion (Kullijian/Dunlap, unan. - Elliott and Newton, absent) procedure approved. (P/W to handle)

CONSENT
22. Consider authorizing City Manager to execute indenture with the Southern Pacific Railroad.
(The purpose of the Indenture is to allow the City the right to pass a closed circuit T.V. cable across Southern Pacific Right of Way near Blue Gum Ave. This cable will tie Fire Station No. 4 into the City Cable T.V. network. This right to cross the railroad right of way will cost the City $150.00. The closed circuit T.V. between fire stations is for training pruposes. Resolution authorizing City Manager to execute Indenture needed)

ACTION: Res. 77-23 adopted authorizing City Manager to execute Indenture. (P/W to handle)

CONSENT

23. (1) Consider authorizing the cooperative purchase of two compact police specials with the City of Berkeley from Maggini Chevrolet, Berkeley, California, for the total price of $11,563.94. (Five affirmative votes needed) (2) Consider authorizing the adjustment of the working Capital Fund 512. (3) Consider transfer of $6,576.00 from the General Reserve to the various Capital Outlay Accounts for outfitting specials.
(Memo with agenda. Resolution authorizing cooperative purchase, Resolution amending budget of Working Capital Fund 512, and Resolution authorizing transfer from the General Reserve Fund 101 needed).

ACTION: Res. 77-24 adopted authorizing cooperative purchase with the City of Berkeley from Maggini Chevrolet, Berkeley, CA for two compact police specials. (Finance to handle)

Res. 77-25 adopted amending Budget of Working Capital Fund 512. (Finance to handle)

Res. 77-26 adopted approving appropriation transfer of $6,576 from Account 60.00-800-101 to Accounts 5514-101 ($3,900); 5515-101 ($236.00); 5516-101 ($1,400); 5517-101 ($94.00); 5518-101 ($516); 5519-101 ($72); 5520-101 ($182); 5521-101 ($80) and 5522-101($96). (Finance to handle)

24. Consider adoption of resolution designating the agencies of the City of Modesto required by the Political Reform Act of 1974 to submit conflict of interest codes and establishing deadlines for submission of said codes.
(Memo with agenda. Resolution needed)

ACTION: Res. 77-27 adopted (Dunlap/Mensinger, unan. - Elliott and Newton, absent) designating agencies and establishing deadline. (Clerk to handle)

REPORT FROM THE PLANNING COMMISSION

CONSENT

25. Set date for public hearing to consider the permanent closure of Elmhurst Drive at its intersection with Briggsmore Ave.
(Memo with agenda. Resolution setting public hearing January 24, 1977 at 7:40 P.M. needed)

ACTION: Res. of Intention 369 (1344-S.P.) adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

26. Legislation.

NONE

27. Appointments.

ACTION: Res. 77-28 adopted (Kullijian/Dunlap, unan. - Elliott and Newton, absent) reappointing Fleeta Raines to the Planning Commission for a term ending January 1, 1981. (Clerk to handle)

28. Matters too late for the agenda.

NONE

29. Executive session to consider condemnation litigation.

Adjourned to Executive session at 6:10 P.M. 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 MONDAY, JANUARY 10, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies
Absent: Councilmember: Newton

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 8, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31
Dunlap/Mensinger, unan. - Newton, 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 by League of Women Voters of Certificate of Excellence in the Bicentennial competition for being the "Votingest City in the United States."
(Mrs. Myrtle Osner, Voter Service Chairman for the League of Women Voters, will make the presentation)

ACTION: Certificate presented to Mayor Davies.

MINUTES

CONSENT
2. Minutes of regular meeting of January 3, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

3. Letter from The Modesto Bee regarding the Agriculture, Business and Industry Review edition.

ACTION: By motion (Elliott/Dunlap, unan. - Newton, absent) approval was given to the City's having a 1/2 page ad in the special edition. (C/Mgr to handle)

4. Letter from Edward Gingras regarding Building Inspection problems.

(This item was withdrawn by Mr. Gingras prior to the meeting)

BIDS

CONSENT
5. Consider award of contract for construction of waterlines in Blue Gum Avenue - west of Carpenter Road to Poust Road, and College West No. 1. (Bids were opened January 4, 1977. The low bid of $57,802.83 submitted by Joe Martin is 7% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Funds are budgeted)

ACTION: Res. 77-29 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

6. Consider award of contract to furnish and install playground equipment for Coleman F. Brown and Chrysler Parks.
(Bids were opened January 4, 1977. The low bid of $26,800 submitted by Bibens Nursery Company. The bid is 23% below the Engineer's estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract needed. Estimated cost: Chrysler, $16,900; Brown, $9,900. Funds are budgeted)

ACTION: Res. 77-30 adopted awarding contract to Bibens Nursery Company. (P/W to handle)

CONSENT

7. Consider award of contract for the construction of curb, gutter and appurtenances on Cuesta Avenue.
(Bids were opened January 4, 1977. The low bid submitted by Morrow and Waggoner, Inc. is 13.27% below the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract needed. Estimated cost $5,116.90 (Contract $4,587.90; Engr. $529.) Funds are budgeted.)

ACTION: Res. 77-31 adopted awarding contract to Morrow and Waggoner, Inc. (P/W to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for Fire Station No. 1 basement sprinkler system.
(Suggested bid opening Date: January 25, 1977 at 11:00 A.M. This project initially was to provide an additional exit door from the basement to conform to the updated Uniform Building Code, but a sprinkler system will comply with the Code requirements and is more economical. Resolution approving plans, specifications and bid call needed. Estimated cost $5,700. ($5,435 Constr.; $265 Const. Engr.) Funds are budgeted)

ACTION: Res. 77-32 adopted approving plans, specifications and bid call. (P/W to handle)

HEARINGS

9. Hearing, amendment to Section 18-3-9 of zoning map to rezone from R-1 to R-2, and from R-2 to R-3, property located south of Briggsmore, north of Evergreen, and west of Dillon. (Modesto Development Co.) 7:30 P.M.

ACTION: Res. 77-33 adopted (Kullijian/Mensinger, unan. - Newton, absent) denying application, waiving 1 year requirement, and requesting applicant to come back with an application for a P-D, which appears to be the practical solution to the problems. (Planning to handle)

By motion (Dunlap/Siefkin, unan. - Newton, absent) the P-D is to include a wall to the east, area not to exceed 15 dwelling units per acre in density, and the study of whether Ricky Ave. should remain open or whether there should be some other 2nd access. (Planning to handle)

10. Hearing, amendment to Section 18-3-9 of the zoning map to rezone from R-3 to P-0, property located at the northwest corner of Tully Road and Madrone Ave. (Glen T. Edwards) 7:35 P.M.

ACTION: Ord. No. 1572-C.S. introduced (Elliott/Dunlap, unan. - Newton, absent) rezoning area. (Clerk to handle)

Res. 77-34 adopted (Elliott/Dunlap, unan. - Newton, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

11. Hearing, amendment to Section 19-3-9 of the zoning map to rezone from R-3 to H-1, property located along the southwesterly side of West Orangeburg Ave., south of Evergreen Road, west of Martin Ave. and adjacent to Freeway 99. (U. Z. Brannon) 7:40 P.M.

ACTION: Ord. No. 1573-C.S. introduced (Kullijian/Elliott, maj. - Siefkin, no - Newton, absent) rezoning area. (Clerk to handle)

Res. 77-35 adopted (Kullijian/Elliott, maj. - Siefkin, no - Newton, absent) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

12. Hearing, amendment to Section 12-3-8 of the zoning map to rezone from R-1 to R-2, property located south of Veneman Ave. and north of M.I.D. Lateral #7. (Joe Trombetta) 7:45 P.M.

ACTION: Ord. No. 1574-C.S. introduced (Kullijian/Dunlap, unan. - Newton, absent) rezoning area. (Clerk to handle)

Res. 77-36 adopted (Kullijian/Dunlap, unan. - Newton, absent) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

13. Hearing, amendment to Section 8-3-9 of the zoning map to rezone from R-2 to R-1 and P-D for a garden court, zero lot line subdivision, property located north of Union Avenue west of McHenry Ave. (Weeks Real Estate) 7:50 P.M.

ACTION: Ord. No. 1575-C.S. introduced (Dunlap/Siefkin, unan. - Newton, absent) rezoning area. (Clerk to handle)

Res. 77-37 adopted (Dunlap/Siefkin, unan. - Newton, absent) approving development plan P-D(149). (Planning to handle)

Res. 77-38 adopted (Dunlap/Siefkin, unan. - Newton, absent) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

14. Hearing on amendment to City's Housing Assistance Plan. 7:55 P.M.

ACTION: None.

15. Hearing concerning garbage rates. 8:00 P.M.

ACTION: Res. 77-39 adopted (Elliott/Kullijian, unan. - Newton, absent) approving rate increase of 40¢ per month for standard container service. (Increases current rate of $1.60 to $2.00 for one-can service picked up once each week.

By motion (Elliott/Kullijian/ unan. - Newton, absent) denying rate adjustments requested by garbage companies relating to:
(a) Container location.
(b) Definition of family residences.
(c) Detachable containers.
(d) Replacement and cleaning of detachable containers.
(e) Drop box container service.
(f) Commercial standard container.
(g) Special service.
and directing staff to work with garbage companies during the year to determine costs and justification of request.

By motion (Elliott/Kullijian, unan. - Newton, absent) directing staff to review basis on which return on investment received by garbage companies is determined.

By motion (Elliott/Kullijian, unan. - Newton, absent) directing staff to prepare amendment to garbage ordinance which will permit annual review and revision of rates. (P/W to handle)

16. Matters for the good of the community. 8:05 P.M.
(These may be presented by interested persons in the audience)

ACTION: Cliff Humphrey asked about the possibility of having a loud speaker in the lobby. He was told that the staff is studying this possibility.

ORDINANCES

CONSENT
17. Adoption of the following ordinances:
(Motion with roll call vote needed)

(a) Ord. No. 1569-C.S. amending Section 9-5.01 of Code relating to numbering of properties.

ACTION: By motion, Ord. No. 1569-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1570-C.S. relating to sign regulations. (Title X)

ACTION: By motion, Ord. No. 1570-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1571-C.S. amending Section 21-3-9. (N. C. MacDannald)

ACTION: By motion, Ord. No. 1571-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

18. Proposed charter amendments.
(Memos with agenda. Resolution proposing charter amendments for March 8, 1977, General Municipal Election, and resolution directing the preparation of impartial analysis of proposed charter amendments.)

ACTION: By motion (Dunlap/Siefkin, maj. - Kullijian and Mensinger, no - Newton, absent) Measure A concerning Council salaries was approved.

By motion (Dunlap/Siefkin, maj. - Kullijian, no - Newton, absent) Measure B concerning Planning Commission salaries approved.

18. Proposed charter amendments, continued.

ACTION: By motion (Dunlap/Mensinger, unan. - Newton, absent) Measure C concerning Personnel Commission procedures approved.

Res. 77-40 adopted (Dunlap/Siefkin, maj. - Kullijian, no - Newton, absent) proposing charter amendments and calling special election.

Res. 77-41 adopted (Dunlap/Siefkin, maj. - Kullijian, no - Newton, absent) City Attorney to prepare impartial analysis. (Clerk and C/Atty to handle)

NEW BUSINESS

CONSENT
19. Agreement with Modesto City Schools regarding the use of the La Loma Multi-purpose facility and outlining the uses and cost sharing. (Memo with agenda. Resolution approving agreement needed. Estimated cost $165,000. Funds are budgeted)

ACTION: Res. 77-42 adopted approving agreement. (P & R to handle)

CONSENT
20. Consider a lease agreement between the City of Modesto and Dr. Donald P. LaTourette at the Modesto City-County Airport/Harry Sham Field.
(Dr. LaTourette has notified the city staff he no longer wishes to conduct fixed base operations at the Airport so a new lease agreement has been prepared. Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 77-43 adopted approving agreement. (P/W to handle)

CONSENT
21. Consider certification that 90% of City's select street system has been constructed.
(This certification is required by state law for City to maintain eligibility to receive State Gas Tax Funds and to spend same on construction and maintenance of City streets system. Memo with agenda. Resolution needed)

ACTION: Res. 77-44 adopted certifying to the California Department of Transportation that 90% or more of the City of Modesto's select street system has been constructed. (P/W to handle)

CONSENT
22. Entrance requirements for Firefighter Examination.
(Memo with agenda. Resolution approving amended Fire Fighters specifications needed)

ACTION: Res. 77-45 adopted approving amended Fire Fighers specifications. (Personnel to handle)

CONSENT
23. Set hearing on costs of demolition of house, outbuildings and fences at 1201 West Roseburg Ave., Modesto.
(Memo with agenda. Resolution setting hearing February 7, 1977 at 4:00 P.M. needed)

ACTION: Res. 77-46 adopted setting hearing. (Clerk to handle)

CONSENT

24. Consider acceptance of improvements in Eastridge No. 6 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods. (Developer Paul Zagaris) (This subdivision is located on the north side of Scenic Drive, east of Sonoma 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. 77-47 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

25. Proposed fare increase by United Air Lines. (Recent Public Utilities Commission rulings require elimination of discriminatory fares being charged by federally certificated carriers. As a result, United Air Lines was required to revise their intrastate fares. Memo with agenda. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

CONSENT

26. Request for estimated assessed valuation of property within the City of Modesto from the County Assessor for the 1977-78 fiscal year. (Memo with agenda. Resolution requesting estimated assessed valuation from the County Assessor needed)

ACTION: Res. 77-48 adopted requesting County Assessor to provide the City of Modesto with an estimate of the assessed valuation of property within the City for the 1977-78 fiscal year. (Finance to handle)

REPORTS

CONSENT

27. Presentation of Financial Statement for December, 1976. (Copies of report will be presented at the meeting. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

28. Recommend amendment to Section 16-3-9 of the zoning map - Rule Development. (On December 21, 1976, the Planning Commission adopted Resolution No. 76-232 recommending to the Council an amendment to Section 16-3-9 of the zoning map to rezone from P-O to P-D(152) property located on the northwest corner of Coffee and Norwegian. Resolution setting public hearing February 7, 1977 at 4:00 P.M. needed)

ACTION: Res. 77-49 adopted setting hearing. (Clerk to handle)

CONSENT

29. Recommend amendment to Section 15-3-9 of the zoning map - U. S. By-Products. (On December 21, 1976, the Planning Commission adopted Res. No. 76-229 recommending to the Council an amendment to Section 15-3-9 of the zoning map to rezone from R-1 to P-D(153) property located on the north side of Floyd, east of Pridmore. Resolution setting public hearing February 7, 1977 at 4:10 P.M. nneded. (Clerk to handle)

ACTION: Res. 77-50 adopted setting hearing. (Clerk to handle)

CONSENT

30. Recommend amendment to Section 16-3-9 of the zoning map - Rule Enterprises.
(On December 21, 1976, the Planning Commission adopted Res. No. 76-230 recommending to the Council an amendment to Section 16-3-9 of the zoning map to rezone from R-1 to P-0 and P-D(151) property located on the southwest corner of Rumble and Coffee Road. Resolution setting public hearing February 7, 1977 at 4:05 P.M. needed)

ACTION: Res. 77-51 adopted setting hearing. (Clerk to handle)

CONSENT

31. Consider changing the name of the portion of existing Scenic Drive created by the realignment of the street east of Sonoma Avenue to Scenic Bend. (to correspond with County action)
(Memo with agenda. Resolution changing street name needed)

ACTION: Res. 77-52 adopted changing the name of a former section of Scenic Drive which has been made a separate street to Scenic Bend. (Planning to handle)

MISCELLANEOUS

32. Legislation.

ACTION: By motion (Kullijian/Siefkin, unan. - Newton, absent) AB 1011 opposed and any other legislation of this type, concerning current employees' liability for employees diseases and injuries. (C/Mgr to handle)

33. Appointments.

NONE

34. Matters too late for the agenda.

ACTION: Councilmember Dunlap commented that he had no objections to candidates for election making statements about land use as long as the Public Projects Committee is not in the process of coming up with recommendations at the same time.

Adjourned at 10:45 P.M. to January 17, 1977 at 2:00 P.M. in the Conference Room, 2nd Floor, County Administration Building, for a meeting with the Local Agency Formation Commission.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Meeting
January 17, 1977
2:00 P.M.

The Council of the City of Modesto met pursuant to adjournment at 2:00 p.m. in the 2nd floor conference room of the County Administration Building, 1100 - H Street, Modesto, California, with the Local Agency Formation Commission.

Present: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies

Absent: Councilmembers: Newton

Points of view on annexation of land to the City of Modesto were expressed by Modesto City Council and Local Agency Formation Commission members.

The meeting adjourned at 3:25 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 17, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag.
Invocation by Reverend Donald G. Weston, St. John's Chapel of the Valley

By motion (Dunlap/Kullijian, unan.) item 23, appointments, to be considered after item 4.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21
Newton/Dunlap, 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. Minutes of regular meeting of January 10, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from League of Women Voters regarding their Land Use Forum on January 22, 1977.
(Motion acknowledging receipt needed)

ACTION: Kenni Friedman spoke about the Land Use Forum.

By motion (Siefkin/Mensinger, unan.) receipt of the invitation acknowledged.

BIDS

CONSENT
3. Consider acceptance of George Bianchi Construction's contract for HCDA removal of architectural barriers and replace returns DBC area. (Original contract $40,224. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost $37,798.93. Funds are budgeted)

ACTION: Res. 77-53 adopted accepting work as complete. (Clerk to handle)

4. Consider approval of plans and specifications for addition of fourth floor to City Hall and the remodeling of the existing City Hall facilities.
(The architects and engineers, Morgan and Jacobsen, have completed preparation of the City Hall expansion plans. Suggested bid opening date is March 1, 1977 at 2:00 P.M. Memo with agenda. Resolution approving bid call needed. Estimated cost $1,410,000($1,380,000 Constr., $30,000 construction inspection). $1,326,901 is budgeted. Transfer of whatever additional funds are needed will be requested later. On this large a project, it's better to wait for bids before making final cost estimates.)

(Elliott/Dunlap, unan.)

ACTION: Res. 77-54 adopted/approving plans, specifications and bid call. (P/W to handle)

HEARINGS

5. Hearing on vacation and abandonment of unimproved road rights of way west of Morgan, north of Whitmore Avenue. 4:00 P.M.

ACTION: Res. 1345-S.P. adopted (Elliott/Kullijian, unan.) abandoning 40' unimproved rights-of-way. (Clerk to handle)

6. Hearing, report of costs, sidewalks, etc. - Carl L. Rohlwing. 4:05 P.M.
(Curb and sidewalk along Coldwell Ave., and sidewalk along Enslen Ave. at 601 Coldwell Ave., Lot 12, Block 715, $1,252.10)

ACTION: Res. 77-58 adopted (Dunlap/Newton, unan.) confirming report, assessing costs and directing method of collection over a period of 10 years. (Finance to handle)

7. Hearing on amendment to Section 10-3-9 of the zoning map to rezone from R-1 to R-2 and P-D(150), property located at the northwest corner of Sylvan Ave. and Oakdale Road. (John Pallios) 4:05 P.M.

ACTION: Ord. No. 1576-C.S. introduced (Elliott/Dunlap, maj. - Newton, no) rezoning area. (Clerk to handle)

Res. 77-59 adopted (Elliott/Dunlap, maj. - Newton, no) approving development plan P-D(150). (Planning to handle)

Res. 77-60 adopted (Elliott/Dunlap, maj. - Newton, no) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

8. Hearing on amendment to Sections 28-3-9 and 33-3-9 of the zoning map to rezone certain property pursuant to the zoning studies of the downtown fringe area. 4:10 P.M.
(Jennie-Grand Zoning Study)

ACTION: Ord. No. 1577-C.S. introduced (Kullijian/Mensinger, unan.) rezoning area. (Clerk to handle)

Res. 77-61 adopted (Kullijian/Mensinger, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

9. Hearing on amendment to City's Housing Assistance Plan. 4:15 P.M.

ACTION: Res. 77-62 adopted (Mensinger/Siefkin, unan.) amending the Housing Assistance Plan. (Planning to handle)

10. Hearing, sign ordinance, outdoor signs. 4:20 P.M.

ACTION: (Councilmember Mensinger was excused from consideration of this item due to a conflict of interest)
Councilmember Newton was excused from the meeting at 5:55 P.M.
Council recessed at 5:55 P.M.; reconvened at 6:05 P.M.

Ord. No. 1578-C.S. introduced (Siefkin/Dunlap, maj. - Kullijian, no - Mensinger and Newton, absent) regarding outdoor signs, approving first alternative presented by staff. (Clerk to handle)

Ord. No. 1579-C.S. introduced (Dunlap/Siefkin, unan. - Mensinger and Newton, absent) repealing sign provisions in the Building Code. (Clerk to handle)

Ord. No. 1580-C.S. introduced (Dunlap/Siefkin, unan. - Mensinger and Newton, absent) repealing sign provisions in the Zoning Code. (Clerk to handle)

11. Matters for the good of the community. 4:25 P.M.
(These may be presented by interested persons in the audience)

ACTION: A citizen who would not give her name spoke about signs and her property on McHenry Avenue.

ORDINANCES

CONSENT
12. Adoption of the following ordinances:
(Motion with roll call vote needed)

(a) Ord. No. 1572-C.S. amending Section May 18-3-9 (Glen T. Edwards)

ACTION: By motion, Ord. No. 1572-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1573-C.S. amending Section Map 19-3-9 (U.Z. Brannon)

ACTION: By motion, Ord. No. 1573-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1574-C.S. amending Section Map 12-3-8 (Joe Trombetta)

ACTION: By motion, Ord. No. 1574-C.S. adopted. (Clerk to handle)

(d) Ord. No. 1575-C.S. amending Section Map 8-3-9 (Weeks Real Estate)

ACTION: By motion, Ord. No. 1575-C.S. adopted. (Clerk to handle)

CONSENT
13. Amendment to transient photographers ordinance to exclude local residents.
(Memo with agenda. Introduction of ordinance needed)

ACTION: Ord. No. 1581-C.S. introduced amending Modesto Municipal Code relating to transient photographers. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT

14. Consider closing 12th Street near Needham on Sundays.
(Memo with agenda. Closure is to facilitate movement between Baptist Church and Auditorium. Closure would be for two intervals between 9:00 A.M. and 8:30 P.M. Motion authorizing a temporary closure needed. No cost to City)

ACTION: By motion, closure approved. (Parking & Traffic to handle)

NEW BUSINESS

CONSENT

15. Consider revising Position Classification Plan.
(Memo and revised job specification for Water Quality Control Superintendent with agenda. Resolution needed)

ACTION: Res. 77-63 adopted revising Position Classification Plan. (Personnel to handle)

CONSENT

16. Set informal public hearing for Monday, January 24, 1977 to consider revision to Environmental Review Guidelines.
(The State Resources Agency has produced new guidelines governing environmental review and preparation of Environmental Impact Reports. As a result, modification to the City's Environmental Review Guidelines is required. Memo with agenda. Resolution setting informal public hearing for 7:50 P.M. Monday, January 24, 1977 to consider revision needed)

ACTION: Res. 77-64 adopted setting hearing. (Clerk to handle)

CONSENT

17. Consider approving agreement with County for modifying the 9th and Coldwell/Woodland traffic signals.
(Memo with agenda. The modification cost is estimated at $10,000 and consists of installing pedestrian signals and revising the railroad pre-emption sequence. The City's share is 75% and the County's share is 25%. Resolution approving agreement needed. Estimated cost $10,000. Funds are budgeted)

ACTION: Res. 77-65 adopted approving agreement. (Parking & Traffic to handle)

CONSENT

18. Consider use of Anti-inflationary Countercyclical Funds.
(Memo with agenda. Motion authorizing 7 positions needed. Estimated cost $74,591.88. Funds are budgeted)

ACTION: By motion, positions authorized. (C/Mgr to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

19. Proposed amendments to Chapter 2 of Title X of the Municipal Code.
(On December 21, 1976, the Planning Commission adopted Resolution 76-237 recommending to the City Council certain amendments, additions and deletions to the zoning regulations of the Modesto Municipal Code (Omnibus No. 1). Resolution setting public hearing on February 14, 1977 at 7:35 P.M. needed)

ACTION: Res. 77-66 adopted setting hearing. (Clerk to handle)

CONSENT

20. Recommend vacation and abandonment of 20-foot public alley which extends east from Saratoga Drive, 135' north of Ronald Avenue. (On December 21, 1976, the Planning Commission adopted Res. No. 76-235 recommending to the Council the vacation and abandonment of the 20-foot alley which extends east from Saratoga Drive, 135 feet north of Ronald Avenue. Resolution of intention to vacate and abandon and setting public hearing on February 14, 1977 at 7:40 P.M. needed)

ACTION: Res. of Intention 370 (1346-S.P.) adopted setting hearing. (Clerk to handle)

CONSENT

21. County referral of Open Space Contract applications: (Four resolutions expressing recommendation of opposition needed)

(a) No. 77-2703, Paul & Celelica LaVine, 3016 Oakdale Road.

ACTION: Res. 77-67 adopted expressing opposition - LaVine. (Planning to handle)

(b) No. 77-2747, Louis & Dorothy Lacoste, south side of Shoemake, 881 feet East of Morse Road.

ACTION: Res. 77-68 adopted expressing opposition, Lacoste. (Planning to handle)

(c) No. 77-2736, Adeline Alessi, 1441 Bangs Ave. (19.05 Ac) and SE corner of Kiernan and Carver Road (37.10 Ac).

ACTION: Res. 77-69 adopted expressing opposition, Alessi. (Planning to handle)

(d) No. 77-2974, Lois V. Radcliffe & Louis & Grace Uhlig, 1609 Bangs Ave.

ACTION: Res. 77-70 adopted expressing opposition, Radcliffe & Uhlig. (Planning to handle)

MISCELLANEOUS

22. Legislation.

NONE

23. Appointments.

ACTION: Res. 77-55 adopted (Newton/Mensinger, unan.) appointing Cornelius Nabers (replacing Anita Newton) for a term expiring 5/1/77, and Beatrice Colton (replacing Barbara Manrique) for a term expiring 5/1/77 on the Human Rights Commission. (Clerk to handle)

Res. 77-56 adopted (Kullijian/Elliott, unan.) appointing Eusebio Ramirez to Seat 5 on the Rehabilitation Loan Pool Subcommittee for a term expiring June 30, 1978, Louisiana (Prescott) Currey to Seat 7 on the Citizens Housing and Community Development Committee for a term expiring June 30, 1977, and Dennis Wilson to Seat 3, replacing Wesley Jones, on the Housing Maintenance and Counseling Subcommittee for a term expiring June 30, 1979. (Clerk to handle)

Res. 77-57 adopted (Kullijian/Newton, maj. - Mensinger and Siefkin, no) appointing Ray Ewing to the Planning Commission for a 4-year term, ending January 1, 1981. (Clerk to handle)

24. Matters too late for the agenda.

ACTION: By motion (Mensinger/Dunlap, unan.) Dunlap, Elliott and Siefkin to review and restate the recommendations to be followed by the Council Appointments Committee for presentation to the Council for consideration.

Adjournment at 7:50 P.M. to 3:00 P.M., Thursday, January 20, 1977 in the City Hall Law Library to consider the Community Center.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Regular Meeting
January 20, 1977

The Council of the City of Modesto met pursuant to adjournment at 3:00 P.M. in the City Hall Multipurpose Room, 801 Eleventh Street, Modesto, California, for further consideration of a Community Center.

Present: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies
Absent: Councilmember: Newton

By motion (Dunlap/Kullijian, unan. - Newton, absent) the staff was directed to prepare a measure to be submitted to the voters proposing a theater-auditorium complex for approximately $12,000,000 including bonding costs.

The meeting was adjourned at 5:00 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 24, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Mensinger, Siefkin, Mayor Davies
Absent: Councilmembers Kullijian and Newton

Pledge of allegiance to the Flag.
Invocation by Reverend Larry Duncan, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 5A, 6, 8, 9, 16B, 18, 19A, 19B, 20, 21, 22, 23, 24
Item 7 removed from consent
Dunlap/Siefkin, unan. - Kullijian and Newton, 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. Approve minutes of adjourned regular meeting of January 17, 1977 and regular meeting of January 17, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Charles Aguilar, Chairman of the Sister City Committee, regarding the exchange program with Barranquilla.

ACTION: Charles Aguilar spoke about the Sister City program and introduced 8 students visiting from Barranquilla.

CONSENT
3. Letter from William B. Mullikin, 1425 Oakwood Drive, regarding a street tree.
(Resolution setting public hearing February 7, 1977 at 4:15 P.M. needed)

ACTION: Res. 77-71 adopted setting hearing. (Clerk to handle)

CONSENT
4. Petition from residents of Tully Manor requesting that the west end of Montclair Drive remain closed.
(Motion referring to Planning Commission needed)

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

BIDS

CONSENT

5. Consider approval of specifications and authorizing call for bids to be opened February 22, 1977 at 2:00 P.M. for purchasing one Council Chambers sound system.
(Proposed equipment will replace and augment the present Council Chambers sound equipment system to assure an upgraded speech reinforcement facility. Resolution authorizing call for bids needed. Estimated cost $4,300. Funds are budgeted)

ACTION: Res. 77-72 adopted approving specifications and call for bids. (Finance and Clerk to handle)

CONSENT

5A. Consider approval of plans and specifications and call for bids for reconstruction of Pump Station No. 2.
(Suggested bid opening February 8, 1977, at 11:00 A.M. This project will replace existing water pump station No. 2 approximately 50 feet west of its present location on Poplar Avenue north of Needham. The existing station is in the CIP for replacement. Estimated cost $77,000; Const. $71,500; $5,500 Landscp. & Engr.) Partial funds of $45,380 are budgeted in Account 6823-500-101. Appropriation transfer will be made after bids are opened and exact costs are known)

ACTION: Res. 77-73 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

6. Consider award of contract for construction of Carver Glen No. 2 waterlines.
(Bids were opened January 18, 1977. The low bid of $52,709.50 submitted by Western Pipeline Co., Inc. is 8% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Western Pipeline Co., Inc. needed. Funds are budgeted)

ACTION: Res. 77-74 adopted awarding contract to Western Pipeline Co., Inc. (P/W to handle)

7. Consider award of contract for construction of waterlines in Reno Avenue.
(Bids were opened January 18, 1977. The low bid of $10,280.40 submitted by Joe Martin is 5% above the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Funds are budgeted)

ACTION: (Mayor Davies was excused from consideration of this item due to a conflict of interest and Vice Mayor Elliott presided)

Res. 77-75 adopted (Siefkin/Dunlap, unan. - Kullijian, Newton and Mayor Davies, absent) awarding contract to Joe Martin. (P/W to handle)

CONSENT

8. Consider award of contract for construction for improvement of Tully Road and Carver Road at Hetch Hetchy right of way.
(Bids were opened January 18, 1977. The low bid of $12,212.75 submitted by George Reed, Inc. is 7.75% above the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to George Reed, Inc. needed. Estimated cost $13,345.75 (Contract $12,212.75; Engr. $1,133) Funds are budgeted).

ACTION: Res. 77-76 adopted awarding contract to George Reed. Inc. (P/W to handle)

CONSENT

9. Consider acceptance of Dwaine Carver's contract for furnishing and installing playground equipment for Woodrow and Davis Parks. (Original contract $30,857. All work on this project has been completed to the satisfaction of the Parks and Recreation and Public Works Departments. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost, contract: $31,347 (Woodrow: $13,500; Davis, $17,847). Funds are budgeted)

ACTION: Res. 77-77 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

10. Hearing, uninhabited annexation of McHenry-Sylvan No. 2 Addition to City of Modesto. 7:30 P.M.

ACTION: Res. 77-78 adopted (Elliott/Dunlap, unan. - Kullijian and Newton, absent) declaring no majority protest made. (Clerk to handle)

Ord. No. 1582-C.S. adopted (Elliott/Dunlap, unan. - Kullijian and Newton, absent) annexing area. (Clerk to handle)

11. Hearing, appeal to decision of Planning Commission in approving plot plan of C. A. Tallent for construction on the south side of Hintze Ave., east of McHenry Ave. (Failing) 7:35 P.M.

ACTION: Res. 77-79 adopted (Siefkin/Elliott, unan. - Kullijian and Newton, absent) denying appeal and approving plot plan with the addition of a 6' solid masonry wall on the south side. (Planning to handle)
By Order of the Chair, staff to check and see what might be done to solve the parking problems in this area. (C/Mgr to handle)

12. Hearing, proposed closure of Elmhurst Drive at Briggsmore Avenue. 7:40 P.M.

ACTION: Res. 1347-S.P. adopted (Dunlap/Mensinger, unan. - Kullijian and Newton, absent) permanently closing Elmhurst at Briggsmore. (P/W to handle)

13. Hearing, appeal of John L. Ward to decision of Planning Commission denying rezoning from R-3 to Planned Development on the west side of Tully Road, north of Standiford Avenue. 7:45 P.M.

ACTION: A motion (Elliott/Dunlap - Mensinger and Siefkin, no) to refer this item to the staff to work with the applicant on conditions for a P-D failed.

By motion (Elliott/Dunlap, unan. - Kullijian and Newton, absent) continuing the hearing to February 28, 1977 at 7:40 P.M. (Clerk to handle)

14. Informal hearing to consider revision to Environmental Guidelines. 7:50 P.M.

ACTION: Res. 77-80 adopted (Mensinger/Dunlap, unan. - Kullijian and Newton, absent) approving revision to Environmental Guidelines. (Clerk to handle)

15. Matters for the good of the community. 7:55 P.M.
(These may be presented by interested persons in the audience)

ACTION: Dave Dolan spoke about City Hall plans.

ORDINANCES

16. Final adoption of the following ordinances:
(Motion with roll call vote required)

(a) Ord. No. 1576-C.S. amending Sec. Map 10-3-9 - John Pallios).

ACTION: By motion, (Elliott/Dunlap, unan. - Kullijian and Newton, absent) Ord. No. 1576-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1578-C.S. amending the municipal code relating to sign regulations.

ACTION: By motion (Elliott/Siefkin, unan. - Kullijian, Mensinger & Newton, absent) Ord. No. 1578-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1579-C.S. repealing Chapter 6 of Title IX relating to sign regulations.

ACTION: By motion (Elliott/Siefkin, unan. - Kullijian, Mensinger, and Newton, absent) Ord. No. 1579-C.S. adopted. (Clerk to handle)

(d) Ord. No. 1580-C.S. amending zoning regulations.

ACTION: By motion (Elliott/Siefkin, unan. - Kullijian, Mensinger, and Newton, absent) Ord. No. 1580-C.S. adopted. (Clerk to handle)

(Councilmember Mensinger was excused from consideration of items b, c, and d due to conflict of interest)

CONSENT
16B. Final adoption of Ordinance No. 1577-C.S. amending Sections 28-3-9 and 33-3-9 of the zoning map (Jennie-Grand Zoning Study).
(Motion with roll call vote needed)

ACTION: By motion, Ord. No. 1577-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

17. Further consideration of Airport Master Plan.

ACTION: By motion (Elliott/Siefkin, unan. - Kullijian and Newton, absent) this item dropped from the agenda to be returned at a later time. (C/Mgr to handle)

NEW BUSINESS

CONSENT
18. Consider approval of final map of Eastridge No. 5 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. (Subdivider - Paul M. Zagaris and Liberty Zagaris). The subdivision agreement has been signed and all fees paid. This subdivision is located north of Scenic Drive and west of Lakewood Avenue. It contains 9.518 acres. Resolution approving final map needed)

ACTION: Res. 77-81 adopted approving final map of Eastridge No. 5 Subdivision. (Clerk to handle)

CONSENT

19A. Consider approval of final map of Woodglen Park 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. (Subdivider, Joaquin Construction Co., Inc., a corporation, and Norman J. Winsor and Lola Jean Winsor, husband and wife.). The subdivision agreement has been signed and all fees paid. Woodglen Park No. 2 subdivision is located west of Dale Road north of the Hahn Development. It contains 17.998 acres. Resolution approving final map needed).

ACTION: Res. 77-82 adopted approving final map of Woodlgen Park No. 2 Subdivision. (Clerk to handle)

CONSENT

19B. Consider approval of final map of Sylvan Meadows East 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.
(Subdivider, Stone Bros. & Associates. The subdivision agreement has been signed and all fees paid. Sylvan Meadows East No. 4 subdivision is located south of Mable Ave. and east of Coffee Road. It contains 18.507 actes. Resolution approving final map needed)

ACTION: Res. 77-83 adopted approving final map of Sylvan Meadows East No. 4 Subdivision. (Clerk to handle)

CONSENT

20. Amendment to Downtown Improvement District's regulatory provisions in the Municipal Code.
(Memo with agenda. Resolution of intention to amend the Municipal Code and setting public hearing February 7, 1977 at 4:20 P.M. needed)

ACTION: Res. 77-84 adopted setting hearing. (Clerk to handle)

CONSENT

21. A resolution and order of the Council of the City of Modesto providing for a general municipal election to be held on Tuesday, March 8, 1977 and designating precincts and polling places and appointing election officers for said general municipal election.
(This resolution relates to the election of 3 councilmembers and four members of the Board of Education. Resolution needed)

ACTION: Res. 77-85 adopted designating precincts and polling places, appointing election officers and directing City Clerk to canvass votes. (Clerk to handle)

CONSENT

22. Consider agreement with the State for upgrading railroad advance warning signs.
(Memo with agenda. A federal program will pay 90% of the cost of upgrading advance railroad warning signs on federal aid streets. An agreement with the State is needed. Resolution approving agreement needed. Estimated cost $155. Funds are budgeted)

ACTION: Res. 77-86 adopted approving agreement. (P & T to handle)

CONSENT

23. Consider lease agreement with Walt and Lee Wooten on Mark Twain site, Robertson Road park site, Bellenita park site (portion), former Forcade property and portions of the former Bonzi dump sites on both sides of Carpenter Road adjacent to the Tuolumne River.
(Consists of approximately 142 acres. The lease is to expire on 10-31-77. The lessees will grow oats and barley. The lessees will pay the City 25% of the gross proceeds and pay any possessory interest taxes. This lease will save the City the expense of maintaining these properties. Resolution approving agreement needed. 86.7% of proceeds are to go into Fund 323 - Tuolumne River Regional Park Fund).

ACTION: Res. 77-87 adopted approving agreement. (P & R to handle)

CONSENT

24. Proposed amendment of agreement with Modesto City Schools to include Sonoma School in the Afterschool Program.
(Memo with agenda. Motion directing staff to prepare necessary document needed).

ACTION: By motion, staff directed to prepare amendment to agreement. (P & R to handle)

25. Lease agreement with the League of Women Voters.
(Proposed renewal of lease for space in the Community Service Center with the League of Women Voters. The amount to be increased from $20.00 to $42.00 per month, for a period of one year. Memo with agenda. Resolution approving agreement needed).

ACTION: (Councilmember Siefkin was excused from consideration of this item due to a conflict of interest).

Res. 77-88 adopted (Elliott/Dunlap, unan. - Kullijian, Newton and Siefkin, absent) approving agreement. (P & R to handle)

MISCELLANEOUS

26. Legislation.

NONE

27. Appointments.

NONE

28. Matters too late for the agenda.

ACTION: Procedures submitted for making appointments to Boards, Commissions, and Committees were discussed. By motion (Elliott/Dunlap, unan. - Kullijian and Newton, absent) changes suggested are to be incorporated and the procedures redistributed to the Council. (C/Mgr to handle)

Adjourned at 10:05 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 7, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Kullijian, Mensinger, Newton, Siefin, Vice Mayor Elliott
Absent: Councilmembers Dunlap and Mayor Davies

Pledge of allegiance to the Flag.
Invocation by Reverend O. D. Johnson, First Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Kullijian/Newton, unan. - Dunlap and Mayor Davies, absent — Items 1, 2, 3, 4, 5, 6, 7a, 7b, 7c, 8, 9, 10, 11, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38a

(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. Approve minutes of the adjourned regular meeting of January 20, 1977 and the regular meeting of January 24, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Request by Camellia Society of Modesto that the City again contribute the Sweepstakes Trophy for the annual Camellia Show.
(Resolution approving needed. Funds are budgeted)

ACTION: Res. 77-89 adopted approving request. (C/Mgr/Finance to handle)

CONSENT
3. Letter from Reginald Mangano regarding a street tree.
(Resolution setting hearing on February 14, 1977 at 7:45 P.M. needed)

ACTION: Res. 77-90 adopted setting hearing. (Clerk to handle)

CONSENT
4. Letter from Max Hanney Enterprises appealing a decision of the Planning Commission to a request for a change in zoning on the northwest corner of Maze and Emerald Avenues.
(Resolution setting hearing March 14, 1977 at 7:30 P.M. needed)

ACTION: Res. 77-91 adopted setting hearing. (Clerk to handle)

CONSENT
5. Letter from Gary West appealing the decision of the Board of Zoning Adjustment concerning the placement of a sign.
(Resolution setting hearing on March 7, 1977 at 4:00 P.M. needed)

ACTION: Res. 77-92 adopted setting hearing. (Clerk to handle)

CONSENT
6. Letter from Griswold & Wight appealing the decision of the Board of Zoning Adjustment concerning the placement of a sign.
(Resolution setting hearing on March 7, 1977 at 4:05 P.M. needed)

ACTION: Res. 77-93 adopted setting hearing. (Clerk to handle)

CONSENT
7. Letters of resignation from the Downtown Improvement District Advisory Board:
(Three resolutions accepting resignations with regret needed)
(a) Bill Hughes, effective 1/1/77.

ACTION: Res. 77-94 adopted accepting resignation with regret. (Clerk to handle)

(b) Eric L. Rowe, effective January 1, 1977.

ACTION: Res. 77-95 adopted accepting resignation with regret. (Clerk to handle)

(c) Myra Steward, effective February 1, 1977.

ACTION: Res. 77-96 adopted accepting resignation with regret. (Clerk to handle)

CONSENT
8. Memo from Modesto Youth Commission for permission to hold a Youth Conference.
(Memos with agenda. Motion approving request needed. Funds are budgeted)

ACTION: By motion, permission granted. (P & R to handle)

BIDS

CONSENT
9. Consider authorizing the purchase of one 8" compound water meter from Hersey Products, Inc., for the total price of $4,440.34.
(Resolution authorizing purchase needed. Estimated cost $4,440.34. Funds are budgeted. Memo with agenda)

ACTION: Res. 77-97 adopted authorizing purchase. (Finance to handle)

CONSENT
10. Consider award of contract for construction of Fire Station No. 1 basement sprinkler system.
(Bids were opened January 25, 1977. The low bid of $5,925.00 submitted by George F. Schuler, Inc. is 9% above the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Funds are budgeted)

ACTION: Res. 77-98 adopted awarding contract to George F. Schuler, Inc. (P/W to handle)

CONSENT

11. Consider acceptance of Western Pipeline's contract for construction of waterlines in Lincoln Manor #2 and Wyldewood Meadows #2. (Original contract $11,985.60. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Final cost, Contract, $11,444.40. Main: $11,162.80; Services, $281.60. Funds are budgeted)

ACTION: Res. 77-99 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

12. Hearing, demolition of house, outbuildings and fences at 1201 West Roseburg Ave., Modesto, California. 4:00 P.M.

ACTION: Res. 77-100 adopted (Kullijian/Mensinger, unan. - Dunlap and Mayor Davies, absent) assessing costs of demolishing of buildings and providing that the costs will be an assessment against the property to be collected with the property taxes. (Finance to handle)

13. Hearing, amendment to Section 16-3-9 of the zoning map to rezone from P-O to P-D(152), property located on the northwest corner of Coffee and Norwegian. (Rule Development) 4:00 P.M.

ACTION: Ord. No. 1583-C.S. introduced (Kullijian/Mensinger, unan. - Dunlap and Mayor Davies, absent) rezoning area. (Clerk to handle)

Res. 77-101 adopted (Kullijian/Mensinger, unan. - Dunlap and Mayor Davies, absent) approving development plan (P-D(152). (Planning to handle)

Res. 77-102 adopted (Kullijian/Mensinger, unan. - Dunlap and Mayor Davies, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

14. Hearing, amendment to Section 16-3-9 of the zoning map to rezone from R-1 to P-O and P-D(151), property located on the southwest corner of Rumble and Coffee Road. (Rule Enterprises) 4:05 P.M.
(Mr. Rule has requested that this hearing be continued to February 28, 1977 at 7:45 P.M.)

ACTION: (Councilmember Kullijian was excused from consideration of this item due to a conflict of interest)

By motion (Siefkin/Newton, unan. - Dunlap, Kullijian, and Mayor Davies, absent) hearing continued to 2/28/77 at 7:45 P.M. (Clerk to handle)

15. Hearing, amendment to Section 15-3-9 of the zoning map to rezone from R-1 to P-D(153), property located on the north side of Floyd, east of Pridmore. (U.S. By-Products) 4:10 P.M.

ACTION: Ord. No. 1584-C.S. introduced (Mensinger/Newton, unan. - Dunlap and Mayor Davies, absent) rezoning area. (Clerk to handle)

Res. 77-103 adopted (Mensinger/Newton, unan. - Dunlap and Mayor Davies, absent) approving development plan P-D(153). (Planning to handle)

15. Hearing, amendment to Section 15-3-9 of zoning map, continued. 4:10 P.M.

ACTION: Res. 77-104 adopted (Mensinger/Newton, unan. - Dunlap and Mayor Davies, absent) directing Directing of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

16. Hearing on an appeal regarding a street tree decision. (William B. Mullikin, 1425 Oakwood Drive) 4:15 P.M.

ACTION: Res. 77-105 adopted (Kullijian/Mensinger, unan. - Dunlap and Mayor Davies, absent) that the billing for the damaged street tree be reduced to $150.00 with no consideration for any damages there might have been to Mr. Mullikin's driveway. (Finance to handle)

17. Hearing, amendment to Downtown Improvement District's regulatory provisions in the Municipal Code. 4:20 P.M.

ACTION: Ord. No. 1585-C.S. introduced (Siefkin/Newton, unan. - Dunlap, Mensinger, and Mayor Davies, absent) amending the Modesto Municipal Code relating to Business Improvement Area A of the City of Modesto. (Clerk to handle)

Res. 77-106 adopted (Siefkin/Newton, unan. - Dunlap, Mensinger, and Mayor Davies, absent) declaring no majority protest made. (Clerk to handle)

(Councilmember Mensinger was excused from consideration of this item due to a conflict of interest)

18. Matters for the good of the community. (These may be presented by interested persons in the audience) 4:25 P.M.

ACTION: Rolando Quinonez asked for the use of the lights at Mellis Park for soccer practice. By motion (Kullijian/Mensinger, unan. - Dunlap and Mayor Davies, absent) the staff was asked to review the situation and make a recommendation as to how it might be possible to deal consistently with all groups. (P & R to handle)

Dave Dolan spoke about the movies Councilmember Kullijian is concerned about.

ORDINANCES

CONSENT

19. Final adoption of Ordinance No. 1581-C.S. relating to transient photographers.
(Motion with roll call vote needed)

ACTION: By motion, Ord. No. 1581-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT

20. Amendment to agreement between City and Modesto City Schools to add Sonoma School to the afterschool recreation program.
(Resolution authorizing amendment to agreement needed. Memo with agenda)

ACTION: Res. 77-107 adopted approving agreement. (P & R to handle)

CONSENT

21. Set public hearing to consider rate increases for CATV service in Modesto.
(Memos with agenda. Resolution setting public hearing on February 28, 1977 at 7:50 P.M. needed)

ACTION: Res. 77-108 adopted setting hearing. (Clerk to handle)

NEW BUSINESS

CONSENT

22. Consider agreement with Robert L. Baucher, et ux, for the dedeication of a sewer easement and construction easement for a subtrunk sewer to serve Paul Zagaris' Westridge Unit No. 1 Subdivision.
(The Bauchers will dedicate the required easements to the City in return for the following: work on the subtrunk sewer will take place between November 1 and December 31; the work area will be cleaned; they will be paid $25 to subsoil the work area after construction. Agreement includes allowance that Grantors will be paid $195 each for any trees that die as a result of root or pruning damage caused by construction. Resolution approving agreement and accepting easements needed. Estimated cost $25.00. Funds are budgeted)

ACTION: Res. 77-109 adopted approving agreement. (P/W to handle)

CONSENT

23. Consider approval of final map of Vintage Faire No. 2 subdivision of the City of Modesto and authorizing agreement with subdividers as required by Section 4-4.604(c) of the Municipal Code.
(Subdivider, Joe Trombetta. The subdivision is located on the south side of Veneman Avenue, east of Dale Road. It contains 15.968 acres. Resolution approving final map needed)

ACTION: Res. 77-110 adopted approving final map of Vintage Faire No. 2 Subdivision. (Clerk to handle)

CONSENT

24. Consider amendments to agreements for installation of flashing light signals at three Modesto and Empire Traction Company crossings.
(Three resolutions approving three amendments to agreements needed. Estimated cost $29,344.25. Funds are budgeted)

ACTION: Res. 77-111 adopted approving agreement - Empire Avenue.

Res. 77-112 adopted approving agreement - Daly Avenue.

Res. 77-113 adopted approving agreement - Riverside Avenue.
(P & T to handle)

CONSENT

25. Consider acceptance of improvements in Wyldewood Meadow No. 3 subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.
(Developer Troy L. Harris. Wyldewood Meadow No. 3 subdivision is located on the south side of East Orangeburg Ave., east of Lakewood 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. 77-114 adopted accepting improvements in Wyldewood Meadow No. 3 Subdivision as complete. (Clerk to handle)

CONSENT
26. Consider renewal of contract with State of California, Office of Emergency Services Division, for retention of 1000 gpm pumper unit #115.
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 77-115 adopted approving agreement. (Fire to handle)

CONSENT
27. Consider resolution notifying United States Postal Service of the City's concern with mail boxes located in the public right of way on sidewalks and requesting an exception which will permit mail delivery to mailboxes set behind the sidewalk where residents do not qualify for door-to-door service.
(Memo with agenda. Resolution notifying U. S. Postal Service of City's concern and requesting an exception needed)

ACTION: Res. 77-116 adopted notifying United States Postal Service of the City's concern with mail boxes located in the public right of way on sidewalks and requesting an exception. (Clerk to handle)

CONSENT
28. Consider revising position classification plan and amending salary schedules and establishing compensation for new classification of Parks Maintenance Trainee/Public Works Maintenance Trainee.
(Memo with agenda. Resolution revising position classification plan and resolution amending salary schedules needed)

ACTION: Res. 77-117 adopted revising Position Classification Plan.

Res. 77-118 adopted amending Salary Schedule. (Personnel to handle)

REPORTS

CONSENT
29. Consider Pacific Telephone request for permanent telephone rates.
(Memo with agenda. Rates apply only to the "com line" on business phones that are used for in-house, non-outside telephone conversations. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

CONSENT
30. Chamber of Commerce report for October, November, December 1976 quarter.
(Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged)

CONSENT
31. Report on noise complaint, McHenry Drive-In.
(The Council received a petition from residents located south of the McHenry Twin Drive-In Theater early last summer concerning noise generated by the theater. The staff has investigated the matter and prepared a report recommending continued monitoring of noise levels in area adjacent to the theater. Memo with agenda. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

32. Recommend amendment to Section 24-3-9 of the zoning map - John Zamora. (On January 18, 1977, the Planning Commission adopted Resolution 77-16 recommending to the Council an amendment to Section 24-3-9 of the zoning map to rezone from R-1 to R-2, property located on the southwest corner of East Orangeburg and Claus Road. Resolution setting public hearing on March 7, 1977 at 4:10 P.M. needed)

ACTION: Res. 77-119 adopted setting hearing. (Clerk to handle)

CONSENT

33. Recommend amendment to Section 23-3-9 of the zoning map - Lance Ellis. (On January 18, 1977, the Planning Commission adopted Resolution 77-13 recommending to the Council an amendment to Section 23-3-9 of the zoning map to repeal P-D(62) and rezone to R-2, property located at the northeast corner of Oakdale Road and Peppermint Drive. Resolution setting public hearing March 14, 1977 at 7:35 P.M. needed)

ACTION: Res. 77-120 adopted setting hearing. (Clerk to handle)

CONSENT

34. Recommend amendment to Section 15-3-9 of the zoning map - Planning Commission initiated.
(On January 18, 1977, the Planning Commission adopted Resolution 77-11 recommending to the Council an amendment to Section 15-3-9 of the zoning map to prezone to R-1, property located along the south side of Floyd Avenue west of Oakdale Road. Resolution setting public hearing March 7, 1977 at 4:15 P.M. needed)

ACTION: Res. 77-121 adopted setting hearing. (Clerk to handle)

CONSENT

35. Recommend amendments to Chapter 2 of Title X and Chapter 2 of Title III. (On January 18, 1977, the Planning Commission adopted Res. 77-15 recommending to the City Council certain amendments and additions to the zoning regulations (Title X) and Public Safety Regulations (Title III) (Omnibus No. 2) pertaining to commercial vehicles in residential areas and on businesses conducted in the home. Resolution setting public hearing March 14, 1977 at 7:40 P.M. needed)

ACTION: Res. 77-122 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

36. Approval of appropriation transfer to provide for retention of disk cartridge unit.
(We originally planned to trade in the disk cartridge unit when we purchased the disk pack for the computer. Since the disk cartridge unit is still usable in the system, it is recommended that it be retained instead of being traded in. An additional $5,000 will be needed to substitute for the trade-in allowance we received. Memo with agenda. Resolution approving appropriation transfer needed)

ACTION: Res. 77-123 adopted approving appropriation transfer of $5,000 from Account 60-321 to Account 6910-150-321. (Finance to handle)

MISCELLANEOUS

37. Legislation.

ACTION: By motion (Kullijian/Mensinger, unan. - Dunlap and Mayor Davies, absent) AB 171 supported. (C/Mgr to handle)

CONSENT

38. Appointments.

(a) Appointment of Charles Jolitz to Board of Zoning Adjustment.

ACTION: Res. 77-124 adopted appointing Charles Jolitz to the Board of Zoning Adjustment as a representative of the Planning Commission for a term expiring 12/31/77. (Clerk to handle)

(b) Others.

ACTION: None.

39. Matters too late for the agenda.

ACTION: Res. 77-125 adopted (Siefkin/Kullijian, unan. - Dunlap and Mayor Davies, absent) asking merchants to help conserve energy by keeping their doors closed during the day. (C/Atty to handle)

Councilmember Mensinger mentioned a course on energy conservation being conducted at Modesto Junior College on Thursdays from 7:00 to 10:00 P.M.

By motion (Mensinger/Siefkin, unan. - Dunlap and Mayor Davies, absent) Councilmember Newton elected Mayor Pro Tem for Council meeting of February 14, 1977.

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 MONDAY, FREBRUARY 14, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Kullijian, Mensinger, Siefkin, Mayor pro tem Newton
Absent: Councilmembers Dunlap, Elliott, Mayor Davies

Pledge of allegiance to the Flag
Invocation by Reverend Ben Jennings, Prescott Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 5, 6, 7, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25
Item 4 removed from consent
Kullijian/Siefkin, unan. - Dunlap, Elliott, Mayor Davies, 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 regular meeting of February 7, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Request by Stanislaus Food Products Company for abandonment of portion of 12th Street between B and D Streets.
(Motion referring request to Planning Commission needed)

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

CONSENT
3. Request by the Modesto Youth Theatre for an annual grant of $3,000.
(Motion referring to proper budget session needed)

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

4. Appeal by Steinpress Realty & Development to Environmental Assessment Committee's requirement of an environmental impact report on the proposed development at the southwest corner of Woodland and Carpenter Road.
(Resolution setting hearing March 7, 1977 at 4:20 P.M. needed)

ACTION: Res. 77-126 adopted (Kullijian/Mensinger, unan. - Dunlap, Elliott, and Mayor Davies, absent) setting hearing for February 22, 1977 at 4:00 P.M. (Clerk to handle)

CONSENT
5. Letter from Senaida Gomez resigning from the Human Rights Commission.
(Resolution accepting with regret needed)

ACTION: Res. 77-127 adopted accepting resignation with regret. (Clerk to handle)

BIDS

CONSENT

6. Consider declaring Oshkosh Truck Corporation low bidder and authorizing the purchase of one fire-crash rescue truck for the total price of $193,392.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted)

ACTION: Res. 77-128 adopted authorizing purchase. (Finance to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for construction of subtrunk sewer in Nightingale Way and Blue Bird Way. (Suggested bid opening date March 1, 1977 at 11:00 A.M. This sewer will provide sewer service for Woodglen Park No. 2 subdivision. Resolution approving bid call needed. Estimated cost $110,125 ($106,125, construction; $4,000 Eng.) Funds are budgeted)

ACTION: Res. 77-129 adopted approving plans, specifications and bid call. (P/W to handle)

HEARINGS

8. Hearings on costs of alley paving at the following locations: 7:30 P.M.

BLOCK 2 - H STREET - G STREET - FIRST STREET - SECOND STREET

(a) Gary G. Leong, Lots 1 & 2, $94.79.

ACTION: Res. 77-130 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(b) Dorothy M. Shively, Lots 3 & 4.
(Paid - drop from agenda)

DROPPED

(c) Albin E. and Mable M. Ostlund, Lots 5 & 6, $94.79.
(Paid - drop from agenda)

DROPPED

(d) Pablo Gomez, Lots 7 & 8, $94.79.
(Paid - drop from agenda)

DROPPED

(e) Joseph F. Salazar, Lots 9 & 10, $94.79.

ACTION: Res. 77-131 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection.

(f) Diana Bettencourt, Lots 11 & 12, $94.79.

ACTION: Res. 77-132 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

8. Hearings on costs of alley paving, continued. 7:30 P.M.

BLOCK 2 - H STREET - G STREET - FIRST STREET - SECOND STREET

(g) Newton L. Cox, Lots 13 & 14, $94.79.

ACTION: Res. 77-133 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(h) United Commercial Travel #718, Lots 15 & 16, $94.79. (Paid - drop from agenda)

DROPPED

(i) William E. and Ruth Kennedy, Lots 17, 18, 19, 20, $189.58.

ACTION: Res. 77-134 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(j) Thomas E. and Jessie B. Hardy, Lots 21 & 22, $94.79.

ACTION: Res. 77-135 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(k) John E. Gustafson, Lots 23 and 24, $94.79.

ACTION: Res. 77-136 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(l) Jack & Vila Johnson, Lots 25 & 26, $94.79. (Paid - drop from agenda)

DROPPED

(m) Modesto High School District, Lots 27, 28, 29, 30, 31, & 32, $284.36.

ACTION: Res. 77-137 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 1238 - EAST GRANGER - HONEYSUCKLE & BRIGGSMORE

(a) Kenneth L. and Dorothy M. Britt, Lot 6, $101.03 (Paid - drop from agenda)

DROPPED

(b) Josephine McSpadden, Lot 7, $101.03. (Paid - drop from agenda)

DROPPED

(c) Benjamin and Helen Gillander and James and Thelma McKinnon, Lot 8, $101.03.

ACTION: Res. 77-138 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

8. Hearings on costs of alley paving, continued. 7:30 P.M.

BLOCK 1238 - EAST GRANGER - HONEYSUCKLE & BRIGGSMORE

(d) Mildred C. and Paul L. Rivers, Lot 9, $101.03. (Paid - drop from agenda)

DROPPED

(e) Rosa Loconte, The east 120' of the West 1606.15' of the North 110' of the south 140' of Section 16, $189.97.

ACTION: Res. 77-139 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(f) National Medical Enterprises, Inc., The east 293' of the west 1486.15' of the north 443' of south 473' of Section 16, $765.06. (Paid - drop from agenda)

DROPPED

BLOCK 5322 - EMERALD - LOS OLIVOS - LAUREL - ELM

(a) C. H. and Charlene N. Gray, Lot 1, $140.07.

ACTION: Res. 77-140 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(b) Jack W. and Phyllis L. Sutton, Lot 2, $137.56.

ACTION: Res. 77-141 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(c) Dorothy Hale, Lot 3, $137.56.

ACTION: Res. 77-142 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(d) Robert H. and Babette A. Husman, Lot 4, $137.56.

ACTION: Res. 77-143 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(e) Julius H. Greenberg, Lot 5, $137.56.

ACTION: Res. 77-144 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(f) Maree A. Clark, Lot 6, $134.20.

ACTION: Res. 77-145 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(g) Dave and Nellie Martinez, Lot 7, $143.73.

ACTION: Res. 77-146 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

8. Hearings on costs of alley paving, continued. 7:30 P.M.

BLOCK 5322 - EMERALD - LOS OLIVOS - LAUREL - ELM

(h) Harold C. and Lois E. Lang, Lot 8, $137.56.

ACTION: Res. 77-147 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(i) Virgie L. and Veren A. Giddens, Lot 9, $228.40.
(Paid - drop from agenda)

DROPPED

(j) Guy G. and Ada V. Durr, Lot 10, $58.72.

ACTION: Res. 77-148 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(k) Avery G. and Shirley P. Patrick, Jr., Lot 32, $216.18.

ACTION: Res. 77-149 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 6118 - MADRONE - PEPPERWOOD - LINWOOD - TULLY

(a) Ralph J. and Cheryl Simas, The north 60' of south 777.65' of the west 127.96' of the east 172.96' of Section 18, $8.28.

ACTION: Res. 77-150 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(b) Winnie M. Bachmann, the North 72.64' of the south 717.65' of the west 128' of the east 173' of Section 18, $114.56.
(Paid - drop from agenda)

DROPPED

(c) Hilda R. Jackson, the north 60' of the south 645.01' of the west 128' of the east 173' of Section 18, $117.22.

ACTION: Res. 77-151 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(d) Robert L. Myers and Jewell N. Myers, Lot 1, $8.28.
(Paid - drop from agenda)

DROPPED

(e) Harold and Bette R. Simidian, Lot 2, $54.17.
(Paid - drop from agenda)

DROPPED

(f) Calvin M. & Marie F. Sturtz, Lot 3, $131.87.
(Paid - drop from agenda)

DROPPED

(g) Aldo W. and Thelma B. Ferrini, Lot 4, $131.87.
(Paid - drop from agenda)

DROPPED

8. Hearings on costs of alley paving, continued. 7:30 P.M.

BLOCK 6118 - MADRONE - PEPPERWOOD - LINWOOD - TULLY

(h) Frank Azevedo, Jr. and Linda Azevedo, Lot 5, $131.87.

ACTION: Res. 77-152 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(i) Martha L. Kirton, Lot 6, $131.87.

ACTION: Res. 77-153 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(j) Loyd M. and Goldie B. Benson, Lot 7, $131.87.
(Paid - drop from agenda)

DROPPED

(k) Don A. and Roberta D. Lenkeit, Lot 8, $131.87.

ACTION: Res. 77-154 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(l) Herbert H. and Constance Staggs, Lot 9, $131.87.
(Paid - drop from agenda)

DROPPED

(m) Joseph Whitney and Rowena Alexander, Lot 10, $131.87.

ACTION: Res. 77-155 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(n) William R. and Mary J. Pedlowe, Lot 11, $131.87.

ACTION: Res. 77-156 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(o) Timothy A. and Lanier S. Brady, Lot 12, $131.87.

ACTION: Res. 77-157 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(p) Robert C. and Edna Mae Harrity, Lot 13, $131.87.
(Paid - drop from agenda)

DROPPED

(q) Faye W. Pittman, Lot 14, $141.91

ACTION: Res. 77-158 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(r) Robert M. and Joyce M. Colville, Lot 15, $227.21.

ACTION: Res. 77-159 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

8. Hearings on costs of alley paving, continued. 7:30 P.M.

BLOCK 6118 - MADRONE - PEPPERWOOD - LINWOOD - TULLY

(s) James Edward and Carole L. Smirfitt, Lot 17, $39.07.

ACTION: Res. 77-160 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(t) Loyal O. and Idell M. Howard, Lot 18, $128.21.
(Paid - drop from agenda)

DROPPED

(u) Kenneth G. and Garnett K. Fenton, Lot 19, $128.21.

ACTION: Res. 77-161 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(v) Richard H. and Marjorie J. Brown, Lot 20, $128.21.

ACTION: Res. 77-162 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(w) Raymond A. and Maxine N. Pifer, Lot 21, $150.06.

ACTION: Res. 77-163 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(x) Maurice E. and Clara H. Bazzell, Lot 22, $126.98.

ACTION: Res. 77-164 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(y) Joseph D. and Sandra L. Naranjo, Lot 23, $126.98.

ACTION: Res. 77-165 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(z) Robert H. and Florence M. Garrett, Lot 24, $121.12.

ACTION: Res. 77-166 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(aa) Aubrey W. and Betty J. Wilson, Lot 25, $107.45.

ACTION: Res. 77-167 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(bb) Fabian A. and Josephine Smith, Lot 26, $214.90.

ACTION: Res. 77-168 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(cc) William J. and Susan P. Englert, Lot 27, $151.25.

ACTION: Res. 77-169 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

8. Hearings on costs of alley paving, continued. 7:30 P.M.

BLOCK 6118 - MADRONE - PEPPERWOOD - LINWOOD - TULLY

(dd) Rule Development, portion of Section 18.
(Paid - drop from agenda)

DROPPED

BLOCK 6141 - STETSON - ALBANY - WOODMAN - WEST GRANGER

(a) Earl L. and Joan M. McCormick, Lot 13, $114.25.

ACTION: Res. 77-170 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(b) Dean R. and Marilyn Wilson, Lot 14, $114.25.
(Paid - drop from agenda)

DROPPED

(c) Mildred E. Williams, South 57" of Lot 15, $108.53.
(Paid - drop from agenda)

DROPPED

(d) Gayle M. Canepa, Lot 16 & N. 3' of Lot 15, $119.96.
(Paid - drop from agenda)

DROPPED

(e) Estella B. Barnhard, Lot 17, $114.25.
(Paid - drop from agenda)

DROPPED

(f) Kenneth E. and Carolyn Jones, Lot 18, $114.25.

ACTION: Res. 77-171 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(g) Robert L. and Audrey Liebrenz, Lot 19, $114.25.
(Paid - drop from agenda)

DROPPED

(h) Andrew and Rose Bille, Lot 20 and the South 15' of Lot 21, $142.81.
(Paid - drop from agenda)

DROPPED

(i) Maya Lindsey, north 45' of Lot 21 and the south 20' of Lot 22, $123.77.

ACTION: Res. 77-172 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(j) Thomas C. and Dawne D. Blank, north 40' of Lot 22 and the south 43' of Lot 23, $158.04.
(Paid - drop from agenda)

DROPPED

8. Hearings on costs of alley paving, continued. 7:30 P.M.

BLOCK 6141 - MADRONE - PEPPERWOOD - LINWOOD - TULLY

(k) Leonard J. and Josephine Parra, Lot 24 and the north 17' of Lot 23, $145.57.

ACTION: Res. 77-173 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(l) Fred B. Otis, Lot 12 and the South 30' of Lot 11, $171.37.

ACTION: Res. 77-174 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(m) Paul L. and Patricia G. Methvin, Lot 10 and the north 30' of Lot 11, $171.37.

ACTION: Res. 77-175 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(n) Paul L. and Patricia G. Methvin, Lot 9 and the south 30' of Lot 8, $171.37.

ACTION: Res. 77-176 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(o) J. V. and Myrtle Ard, South 30' of Lot 7 and the north 30' of Lot 8, $114.25.
(Paid - drop from agenda)

DROPPED

(p) James and Katherine Turner, north 30' of Lot 7 and the south 30 feet of Lot 6, $114.25.

ACTION: Res. 77-177 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(q) Martha B. Morrow, north 30' of Lot 6 and the south 30' of Lot 5, $114.25.
(Paid - drop from agenda)

DROPPED

(r) Carl C. and Ina M. Nielsen, Lot 4 and the north 30' of Lot 5, $171.37.
(Paid - drop from agenda)

DROPPED

(s) Wallace B. and Anna Peterson, Lot 3, $114.25.
(Paid - drop from agenda)

DROPPED

(t) Ludwig & Erna Levy, Herbert & Mildred Levy, and Fred and Evelyn Heilbrown, Lot 2, $114.25.

ACTION: Res. 77-178 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

8. Hearings on costs of alley paving, continued. 7:30 P.M.

BLOCK 6141 - STETSON - ALBANY - WOODMAN - WEST GRANGER

(u) Walter H. and Dorothy Schultz, Lot 1, $114.40.
(Paid - drop from agenda)

DROPPED

BLOCK 6804 - ENSLEN - LA VILLA ROSE CT. - RALSTON - BRIGGSMORE

(a) Kenneth W. and Isabel Graham, Lot 11 & north 4.20' of Lot 10, $112.29.
(Paid - drop from agenda)

DROPPED

(b) Herbert M. and Lorene Cole, South 53.60' of Lot 10 and the north 10.40' of Lot 9, $110.53.
(Paid - drop from agenda)

DROPPED

(c) Clyde W. & Addalyn J. Sims, south 47.4' of Lot 9 and the north 16.6' of Lot 7, $110.53.

ACTION: Res. 77-179 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(d) Frank & Vivian M. Espinola, Jr., south 41.2' of Lot 8 and the north 22.8' of Lot 7, $110.53.
(Paid - drop from agenda)

DROPPED

(e) Ludina A. Hicks, south 35' of Lot 7 and the north 29' of Lot 6, $110.53.

ACTION: Res. 77-180 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(f) Fred G. Herman, south 28.8' of Lot 6 and the north 35.2' of Lot 5, $110.53.

ACTION: Res. 77-181 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(g) Lynn S. and Mary Ann Wood, south 22.6' of Lot 5 and the north 41.4' of Lot 4, $110.53.
(Paid - drop from agenda)

DROPPED

(h) Antonio W. and M. Jean Leonardo, south 16.4' of Lot 4 and the north 47.60' of Lot 3, $110.53.
(Paid - drop from agenda)

DROPPED

(i) Roy C. and Lois Huckaby, south 10.2' of Lot 3 and the north 53.8' of Lot 2.
(Paid - drop from agenda)

DROPPED

8. Hearings on costs of alley paving, continued. 7:30 P.M.

BLOCK 6804 - ENSLEN - LA VILLA ROSE CT. - RALSTON - BRIGGSMORE

(j) Angela S. Boling, Lot 1 and the south 4' of Lot 2, $112.96.

ACTION: Res. 77-182 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(k) Duane D. Jenner & Irene Jenner, Lot 12, $130.34.

ACTION: Res. 77-183 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(l) Sidney and Leah Wolfe, Lot 13, $120.89.

ACTION: Res. 77-184 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(m) Hsing Yun and Marie Fan, Lot 14, $120.89.
(Paid - drop from agenda)

DROPPED

(n) Walter W. and Louise C. Netherton, Lot 15, $120.89.
(Paid - drop from agenda)

DROPPED

(o) John H. and Bette D. Cox, Lot 16, $120.89.
(Paid - drop from agenda)

DROPPED

(p) Alfred L. and Donna F. Morton, Lot 17, $167.81.
(Paid - drop from agenda)

DROPPED

(q) E. R. and Ruby Johnson, Lot 18, $120.89.
(Paid - drop from agenda)

DROPPED

(r) Elmer L. and Fay Ballard, Lot 28, $172.70.

ACTION: Res. 77-185 adopted (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 12953 - WINDSOR LANE - WINDSOR COURT - HAMPSHIRE LANE

(a) James P. Calvert and Kay Calvert, Lot 1, $137.54.

(b) Richard C. and Margie Barham, Lot 2, $123.08.
(Paid - drop from agenda)

(c) Richard M. and Grace L. Stewart, Lot 3, $123.04.
(Paid - drop from agenda)

(d) Owen G. and Virginia A. Nicholas, Lot 4, $123.04.

(e) Betty H. Leonard, Lot 5, $135.13.

8. Hearings on costs of alley paving, continued. 7:30 P.M.

BLOCK 12953 - WINDSOR LANE - WINDSOR COURT - HAMPSHIRE LANE

(f) Jess W. and Mildred E. Ayres, Lot 6, $157.68.
(Paid - drop from agenda)

(g) Edward B. and Helen H. Ballinger, Lot 23, $204.62.

(h) William T. and Betty L. Scott, Lot 22, $180.87.

(i) Lawrence H. and Katherine D. Moncrief, Lot 21, $364.45.

(j) Paul L. and Mariesta B. Martelli, Lot 20, $28.19.
(Paid - drop from agenda)

ACTION: By motion (Siefkin/Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) hearing on Block 12953 continued to February 22, 1977 at 4:05 P.M. (Clerk to handle)

9. Hearing on proposed amendments to Chapter 2 of Title X of the Municipal Code. (Omnibus No. 1) 7:35 P.M.

ACTION: Ord. No. 1586-C.S. introduced (Mensinger, unan. - Dunlap, Elliott and Mayor Davies, absent) amending Chapter 2 of Title X of the Modesto Municipal Code relating to the zoning regulations. (Clerk to handle)

Res. 77-186 adopted (Mensinger/Siefkin, unan. - Dunlap, Elliott and Mayor Davies, absent) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

10. Hearing on vacation and abandonment of 20'foot public alley. 7:40 P.M.

ACTION: Res. 1348-S.P. adopted (Mensinger/Siefkin, unan. - Dunlap, Elliott and Mayor Davies, absent) vacating and abandoning 20-foot public alley in Block 6665 which extends East from Saratoga Drive, 135 feet north of Ronald Ave. (P/W to handle)

11. Hearing regarding street tree, Reginald Mangano, 1900 Landini Way. 7:45 P.M.

ACTION: Res. 77-187 adopted (Kullijian/Siefkin, unan. - Dunlap, Elliott and Mayor Davies, absent) approving staff recommendation that the tree be planted. (P & R to handle)

12. Matters for the good of the community. 7:50 P.M.
(These may be presented by interested persons in the audience)

ACTION: Mayor pro tem Newton introduced the Webelos Den of Cub Scout Pack 240.

ORDINANCES

CONSENT

13. Final adoption of:
(a) Ordinance 1583-C.S. amending Section Map 16-3-9, Rule Development Co.
(Motion with roll call vote needed)

ACTION: By motion, Ord, No. 1583-C.S. adopted. (Clerk to handle)

CONSENT
13. Final adoption of, continued.

(b) Ordinance No. 1584-C.S. amending Section Map 15-3-9, U. S. By-Products, Inc.
(Motion with roll call vote needed)

ACTION: By motion, Ord. No. 1584-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT
14. Consider approval of agreement retaining freeway routing for Highway 132 west of Modesto.
(Memo with agenda. This route covers the link from Highway 99 to the San Joaquin River presently located on Maze Boulevard. Resolution approving agreement needed)

ACTION: Res. 77-188 adopted approving agreement. (P & T to handle)

CONSENT
15. Consider declaring 47 containerized trees as surplus property and authorizing sale to the highest bidder.
(Memo with agenda. Resolution authorizing disposal needed)

ACTION: Res. 77-189 adopted authorizing City Manager, through the purchasing officer, to sell trees. (Finance to handle)

CONSENT
16. Consider quitclaiming a street tree easement on South Santa Cruz Avenue.
(Memo with agenda. Resolution authorizing Mayor to execute deed needed)

ACTION: Res. 77-190 adopted authorizing Mayor to execute deed. (Clerk to handle)

CONSENT
17. Lease termination, McHenry-Dry Creek Fire Department.
(Due to decreasing revenue the McHenry Dry Creek Fire Department has contracted fire protection services to the County and no longer needs to occupy our buildings at Coffee and Scenic. Resolution consenting to termination of lease effective March 1, 1977 needed)

ACTION: Res. 77-191 adopted terminating lease. (Clerk to handle)

CONSENT
18. Consider resolution amending Resolution No. 77-27 which designates agencies of the City of Modesto required to adopt conflict of interest codes, to add License Tax Appeals Board.
(Memo with agenda. Resolution needed)

ACTION: Res. 77-192 adopted amending Resolution No. 77-27 to add License Tax Appeals Board. (Clerk to handle)

CONSENT
19. Adoption of resolution authorizing the City Treasurer to deposit and withdraw money in the Local Agency Investment Fund.
(Memo with agenda. Resolution needed)

ACTION: Res. 77-193 adopted authorizing investment of City monies in Local Agency Investment Fund. (Finance to handle)

CONSENT

20. Consider revising Position Classification Plan and amending salary schedules and establishing compensation for new classification of Assistant Zoning Inspector.
(Memo with agenda. Resolution revising Position Classification Plan and Resolution amending salary schedules needed)

ACTION: Res. 77-194 adopted revising Position Classification Plan.

Res. 77-195 adopted amending salary schedules. (Personnel to handle)

REPORTS

CONSENT

21. 3rd and 4th quarterly reports for 1976 on Ecology Action's recycling activity.
(Required reports submitted. Memo with agenda. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt acknowledged.

CONSENT

22. Presentation of Mid-Year Budget Report and approval of appropriation transfers making necessary budget adjustments.
(Report with agenda. Two resolutions approving two appropriation transfers needed)

ACTION: Res. 77-196 adopted approving appropriation transfer of $1,403 from Account 60-800-209 to Account 210-510-209. (Finance to handle)

Res. 77-197 adopted approving appropriation transfer of $271,194 from Account 60-800-101 to the following Accounts in Fund 101; 110-140 ($7,315); 224-300 ($250); 235-300 ($734); 312-320 ($1,722); 218-350 ($6,500); 224-350 ($4,000); 204-380 ($36); 308-380 ($770); 464-610 ($130); 411-640 ($818); 424-640 ($871); 425-640 ($1,657); 426-640 ($2,385); 238-650 ($10,000); 430-650 ($900); 112-150 ($608); 112-180 ($593); 112-210 ($1,252); 112-220 ($529); 112-350 ($5,944); 112-360 ($351); 112-410 ($1,738); 112-420 ($632); 112-430 ($44); 112-500 ($88); 112-510 ($614); 112-520 ($172); 112-530 ($876); 112-540 ($366); 210-210 ($4,954); 210-220 ($2,735); 210-290 ($1,644); 210-291 ($49); 210-300 ($428); 210-330 ($190); 210-340 ($2,405); 210-350 ($16,186); 210-360 ($65); 210-370 ($472); 210-380 ($1,086); 210-390 ($906); 210-430 ($49,874); 210-500 ($52,704); 210-520 ($8,242 210-530 ($72,327) and 210-550 ($5,032). (Finance to handle)

CONSENT

23. Presentation of Financial Statement for January 1977.
(Copies of report will be presented at meeting. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

24. Recommend amendment to Section 12-3-8 of the zoning map - Firestone Tire and Rubber Company.
(On February 1, 1977, the Planning Commission adopted Resolution 77-22 recommending to the Council an amendment to Section 12-3-8 of the zoning map to rezone from R-1 to P-D(154) to permit construction of a commercial complex on property located on the east side of Dale Road north of Standiford. Resolution setting public hearing March 14, 1977 at 7:45 P.M. needed)

ACTION: Res. 77-198 adopted setting hearing. (Clerk to handle)

CONSENT

25. Recommend amendment to Chapter 2 of Title X - Airport Zone. (On February 1, 1977 the Planning Commission adopted Resolution 77-23 recommending to the Council certain additions to the Zoning Code (Title X, Chapter 2, Article 33) pertaining to regulating height of structures and objects and otherwise regulate use of property in the vicinity of the Modesto City-County Airport/Harry Sham Field, Resolution setting public hearing March 14, 1977 at 7:50 P.M. needed)

ACTION: Res. 77-199 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

26. Legislation.

NONE

27. Appointments.

NONE

28. Matters too late for the agenda.

NONE

Adjourned at 8:23 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 22, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies
Absent: Councilmember Dunlap
(Councilmember Newton arrived at 4:15 P.M.)

Pledge of allegiance to the Flag
Invocation by Reverend Lloyd Menning, Paradise Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 17, 18, 19, 20, 21, 23, 24, 25, 26, 27, 28, 29, 30
Items 16 and 22 removed from consent
Siefkin/Elliott, unan. - Dunlap and Newton, 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 February 14, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Request by Ida Austin for permission to file a late claim for personal injuries sustained in a fall over a street tree root.
(Resolution rejecting late claim needed)

ACTION: Res. 77-200 adopted rejecting claim. (Clerk to handle)

BIDS

CONSENT
3. Consider approval of specifications and authorizing bids to be opened March 22, 1977 at 2:00 P.M. for furnishing one air purification system for the Fire Department.
(Memo with agenda. Resolution authorizing call for bids needed. Estimated cost $17,000. Funds are budgeted)

ACTION: Res. 77-201 adopted approving specifications and bid call.
(Finance to handle)

CONSENT
4. Consider approval of plans and specifications and call for bids for construction of Revard Park Stage I.
(Suggested bid opening date March 15, 1977 at 11:00 A.M. This construction has been budgeted to provide Stage I improvements consisting of grading, concrete paths, play areas and frontage improvements. Resolution approving bid call needed. Estimated cost $43,400 ($41,270 Const.; $2,130 Engr.) Funds are budgeted)

ACTION: Res. 77-202 adopted approving plans, specifications and bid call.
(P/W to handle)

CONSENT

5. Consider waiving bid irregularity and authorize award of contract for reconstruction of pump station No. 2.
(Bids were opened February 8, 1977. The low bid of $70,158 submitted by William M. Mineni is 2% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. Memo with agenda. Resolution waiving bid irregularity and awarding contract needed. Estimated cost $77,158 ($70,158, constr.; $7,000 Engr., Landscpg & Contgy. Funds are budgeted)

ACTION: Res. 77-203 adopted waiving bid irregularity and awarding contract to William M. Mineni. (P/W to handle)

CONSENT

6.a. Consider authorizing the purchase of four light utility pickup trucks from Griswold-Wight for the total price of $16,526.72.

b. Consider declaring vehicles 30169 and 30135 as surplus property and authorizing Purchasing Officer to sell to the highest bidder.

c. Consider authorizing the transfer of $8,270 from Station #6 Construction Account to Light Utility Pickup Replacement Account. Memo with agenda. (Resolution authorizing purchase; resolution declaring equipment surplus property; resolution authorizing transfer of funds. Funds are partially budgeted)

ACTION: Res. 77-204 adopted authorizing purchase of four light utility pickup trucks from Griswold-Wight.

Res. 77-205 adopted declaring vehicles 30169 and 30135 surplus property and authorizing Purchasing Officer to sell to highest bidder.

Res. 77-206 adopted approving appropriation transfer of $8,270 from Account 6118-210-321 to Account 5402-410-321. (Finance to handle)

CONSENT

7. Consider acceptance of Joe Martin's contract for construction of waterlines in Bloomfield No. 1, Hyde Park No. 1, and North Hampton Park No. 3.
(Original contract $28,907. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost $29,958. (Main, $27,658; Services, $2,300). Funds are budgeted)

ACTION: Res. 77-207 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider acceptance of Joe Martin's contract for construction of waterlines in Eastridge No. 6.
(Original contract $30,125.05. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost, contract, $29,844.11. (Main: $28,724.11; Services, $1,120) Funds are budgeted)

ACTION: Res. 77-208 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider acceptance of Joe Martin's contract for construction of waterlines in Vintage Faire Subdivision.
(Original contract $13,812. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost, contract, $13,055.01. Main: $12,375.01; Services, $680. Funds are budgeted)

ACTION: Res. 77-209 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of Joe Martin's contract for waterlines in McHenry Avenue, Montecito Park and Wyldewood Meadows #4.
(Original contract $44,960.60. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost, contract, $43,079.40. (Main: $40,519.40; Services, $2,560. Funds are budgeted)

ACTION: Res. 77-210 adopted accepting work as complete. (Clerk to handle)

HEARINGS

11. Hearing on appeal to Environmental Assessment Committee's requirement of an E.I.R. on proposed development at the southwest corner of Woodland and Carpenter. (E.A. No. 77-17 Steinpress Realty & Development) 4:00 P.M.

ACTION: Res. 77-211 adopted (Siefkin/Elliott, unan. - Dunlap and Newton, absent) denying appeal and requiring E.I.R. (Planning to handle)

Councilmember Newton arrived at 4:15 P.M.

12. Continued hearing on costs of alley paving in Block 12953, Windsor Lane, Windsor Court, Hampshire Lane. 4:05 P.M.

(a) James P. Calvert and Kay Calvert, Lot 1, $137.54.

ACTION: Res. 77-212 adopted (Elliott/Kullijian, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(b) Richard C. and Margie Barham, Lot 2, $123.08.
(Paid - drop from agenda)

DROPPED

(c) Richard M. and Grace L. Stewart, Lot 3, $123.04.
(Paid - drop from agenda)

DROPPED

(d) Owen G. and Virginia A. Nicholas, Lot 4, $123.04.

ACTION: Res. 77-213 adopted (Elliott/Kullijian, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(e) Betty H. Leonard, Lot 5, $135.13.

ACTION: Res. 77-214 adopted (Elliott/Kullijian, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

12. Continued hearing on costs of alley paving, continued. 4:05 P.M.

BLOCK 12953 - WINDSOR LANE - WINDSOR COURT - HAMPSHIRE LANE

(f) Jess W. and Mildred E. Ayres, Lot 6, $157.68.
(Paid - drop from agenda)

DROPPED

(g) Edward B. and Helen H. Ballinger, Lot 23, $204.62.

ACTION: Res. 77-215 adopted (Elliott/Kullijian, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(h) William T. and Betty L. Scott, Lot 22, $180.87.

ACTION: Res. 77-216 adopted (Elliott/Kullijian, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(i) Lawrence H. and Katherine D. Moncrief, Lot 21, $364.45.

ACTION: Res. 77-217 adopted (Elliott/Kullijian, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(j) Paul L. and Mariesta B. Martelli, Lot 20, $28.19.
(Paid - drop from agenda)

DROPPED

13. Matters for the good of the community. 4:10 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

14. Final adoption of Ordinance No. 1585-C.S. relating to Business Improvement Area A of the City of Modesto.
(Motion with roll call vote needed)

ACTION: (Councilmember Mensinger was excused from consideration of this item due to a conflict of interest)

By motion (Siefkin/Newton, unan. - Dunlap and Mensinger, absent) Ord. No. 1585-C.S. adopted. (Clerk to handle)

CONSENT

15. Final adoption of Ordinance No. 1586-C.S. amending zoning regulations.
(Motion with roll call vote required)

ACTION: By motion, Ord. No. 1586-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

16. Report on the request of Mr. and Mrs. Larry Vawter that a Cable Com General amplifier box be removed from their property.
(Mr. and Mrs. Vawter sent a letter dated December 2, 1976 to the Mayor and members of the City Council concerning this matter. The staff has investigated the circumstances and a report has been completed. Memo with agenda. Motion acknowledging receipt of report needed)

NO ACTION TAKEN.

NEW BUSINESS

CONSENT

17. Resolution withdrawing East Orangeburg No. 7 Addition from the McHenry Dry Creek Fire District.
(This annexation to the City was effective 2/4/77. Resolution approving withdrawal needed. Estimated cost $25.00. Funds are budgeted)

ACTION: Res. 77-218 adopted approving withdrawal from McHenry Dry Creek Fire District. (Clerk to handle)

CONSENT

18. Resolution determining that the public interest and convenience require that East Orangeburg No. 7 Addition be annexed to the Modesto Municipal Sewer District No. 1.
(This Addition was annexed to the City effective 2/4/77. Resolution setting April 4, 1977 at 4:05 P.M. for public hearing needed. Five affirmative votes required. Estimated cost $25.00. Funds are budgeted)

ACTION: Res. 77-219 adopted setting hearing. (Clerk to handle)

CONSENT

19. Resolution withdrawing Prescott No. 5 Addition from the Salida Fire District.
(This Addition was annexed to the City effective 2/4/77. Resolution withdrawing addition from Fire District needed. Estimated cost $25.00. Funds are budgeted)

ACTION: Res. 77-220 adopted approving withdrawal from Salida Fire District. (Clerk to handle)

CONSENT

20. Resolution determining that the public interest and convenience require that Prescott No. 5 Addition be annexed to the Modesto Municipal Sewer District No. 1.
(This Addition was annexed to the City effective 2/4/77. Resolution setting April 4, 1977 at 4:00 P.M. for public hearing needed. Five affirmative votes required. Estimated cost $25.00. Funds are budgeted.)

ACTION: Res. 77-221 adopted setting hearing. (Clerk to handle)

CONSENT

21. Request of Lilljenquist Investment Company for lot line adjustment for property located north of Sisk Road, west of Briggsmore Avenue.
(Memo with agenda. Resolution approving lot line adjustment needed)

ACTION: Res. 77-222 adopted approving lot line adjustment. (Clerk to handle)

22. Modernization of City telephone system.
(Installation of a Centrex Dimension System is budgeted in the Capital Improvement Program for 1977-78. Because this project is being accelerated, money is needed to cover the cost of the system. Memo with agenda. Resolution authorizing City Manager to sign all necessary documents to replace existing telephone equipment and install Dimension PBX System, and resolution approving appropriation transfer needed. Estimated cost $11,070.

ACTION: (Mayor Davies was excused from consideration of this item due to a conflict of interest and Vice Mayor Elliott presided)

Res. 77-223 adopted (Kullijian/Mensinger, unan. - Dunlap and Mayor Davies, absent) authorizing City Manager to sign all necessary documents. (C/Mgr to handle)

22. Modernization of City telephone system, continued.

ACTION: Res. 77-224 adopted (Kullijian/Mensinger, unan. - Dunlap and Mayor Davies, absent) approving appropriation transfer of $11,070 from Account 60-321 to Account 6920-90-321. (Finance to handle)

CONSENT
23. Consider approval of County Dam Failure Joint Contingency Plan.
(Memo with agenda. Resolution approving recommendation needed)

ACTION: Res. 77-225 adopted approving recommendation of Stanislaus County Dam Failure Joint Contingency Plan. (Clerk to handle)

CONSENT
24. Consider acceptance of improvements in Bloomfield No. 1 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.
(Developer Bloomfield Joint Venture. This subdivision is located at the north end of Columbine Drive. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 77-226 adopted accepting improvements in Bloomfield No. 1 Subdivision as complete. (Clerk to handle)

CONSENT
25. Consider approval of an engineering agreement between the City of Modesto and Jorgensen-Tolladay Engineers, Inc., for engineering services on Tuolumne River Regional Park.
(Memo with agenda. Resolution approving agreement needed. Estimated cost $50,000. Funds are budgeted)

ACTION: Res. 77-227 adopted approving agreement. (P/W to handle)

CONSENT
26. Consider adoption of prevailing wage rates and directing publication thereof.
(This is the annual determination of prevailing wage rates required to be paid on all Public Works contracts. Memo with agenda. Resolution determining prevailing wage rates needed)

ACTION: Res. 77-228 adopted determining prevailing wage rates. (Clerk to handle)

CONSENT
27. Consider additions to Building Inspection staff.
(It is recommended that a Plan Review Engineer I be added as soon as possible and one Building Inspector be added effective June 1, 1977. Memo with agenda. Motion authorizing additions to Building Inspection staff needed)

ACTION: By motion, addition approved. (Personnel to handle)

CONSENT
28. Consider consenting to the assignment of the resthome lease on the former Ira Root property located at 1343 Legion Park Drive. The assignment would be from Mr. and Mrs. John Loades to Aloma Lackey. This lease expires October 31, 1977.
(Mr. and Mrs. Loades have expressed a desire to sell their lease and vacate the city-owned property at 1343 Legion Park Drive. Mrs. Lackey has agreed to assume all obligations under the lease. Mrs. Lackey has been cleared with the County Licensing Agency. Mrs. Lackey already runs an existing home. Memo with agenda. Resolution authorizing City Manager to consent to assignment of lease needed)

CONSENT

28. Consider consenting to the assignment of the resthome lease on the former Ira Root property, continued.

ACTION: Res. 77-229 adopted authorizing City Manager to consent to assignment of lease. (P/W to handle)

REPORTS FROM PLANNING COMMISSION

CONSENT

29. Recommend amendment to Sections 11-3-8 and 12-3-8 of the zoning map. (C. J. Rumble and Sons)
(On February 15, 1977, the Planning Commission adopted Res. 77-35 recommending to the Council an amendment to Sections 11-3-8 and 12-3-8 of the zoning map to rezone from R-1 to P-D to permit construction of a community shopping center property located at the southeast corner of Standiford Ave. and Sisk Road. Resolution setting public hearing on March 21, 1977 at 4:00 P.M. needed)

ACTION: Res. 77-230 adopted setting hearing. (Clerk to handle)

CONSENT

30. County referral of open space contract application No. 77-2808, Arnold and Helen Dickens, 553 Lincoln Avenue.
(Resolution expressing recommendation of opposition needed)

ACTION: Res. 77-231 adopted expressing opposition to application No. 77-2808 - Arnold & Helen Dickens. (Planning to handle)

MISCELLANEOUS

31. Legislation.

ACTION: By motion (Elliott/Mensinger, unan. - Dunlap, absent) SB 164 opposed. (C/Mgr to handle)

32. Appointments.

NONE

33. Matters too late for the agenda.

NONE

Adjourned at 5:40 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 28, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag.
Invocation by Pastor Mitch Williams, Central Seventh Day Adventist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 12, 13, 14, 15, 17, 18, 19
Item 15a removed from Consent
Dunlap/Mensinger, 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 regular meeting of February 22, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Letter from Natalie K. Shastid resigning from the Culture Commission effective February 19, 1977.
(Resolution accepting with regret needed)

ACTION: Res. 77-232 adopted accepting resignation with regret. (Clerk to handle)

CONSENT
3. Letter from Richard Jennings resigning from the Human Rights Commission effective immediately.
(Resolution accepting with regret needed)

ACTION: Res. 77-233 adopted accepting resignation with regret. (Clerk to handle)

BIDS

CONSENT
4. Consider approval of plans and specifications and call for bids for construction of Woodrow Park lighting.
(Suggested bid opening date March 15, 1977 at 11:10 A.M. This project has been budgeted to provide security lighting within and adjacent to Woodrow Park. Resolution approving bid call needed. Estimated cost $9,500 ($9,250 Const., $250, Engr.). Funds are budgeted)

ACTION: Res. 77-234 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

5. Approve plans and specifications and call for bids for modifying the 9th Street at Coldwell Avenue/Woodland Avenue traffic signals. (Memo with agenda. The project is budgeted at $15,000 to provide pedestrian protection. It is to be shared on a 25% County, 75% City basis, the ratio of the legs of the intersection in each jurisdiction. Resolution approving call for bids March 29, 1977 at 2:00 P.M. needed. Estimated cost $15,000. Funds are budgeted)

ACTION: Res. 77-235 adopted approving plans, specifications and bid call. (P & T to handle)

HEARINGS

7. Continued hearing on appeal of Sanders Construction to decision of Planning Commission denying rezoning from R-1 to P-D, property on the east side of Dale Road, north of M.I.D. Lateral No. 7. 7:35 P.M.

ACTION: Ord. No. 1587-C.S. introduced (Dunlap/Elliott, unan.) rezoning area. (Clerk to handle)

Res. 77-236 adopted (Dunlap/Elliott, unan.) approving development plan P-D(157). (Planning to handle)

Res. 77-237 adopted (Dunlap/Elliott, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

8. Continued hearing on appeal of John L. Ward to decision of Planning Commission denying rezoning from R-3 to Planned Development on the west side of Tully Road, north of Standiford Avenue. 7:40 P.M.
(Continued from January 24, 1977 meeting)

ACTION: Ord. No. 1588-C.S. introduced (Dunlap/Newton, maj. - Mensinger and Siefkin, no) rezoning area. (Clerk to handle)

Res. 77-238 adopted (Dunlap/Newton, maj. - Mensinger and Siefkin, no) approving development plan P-D(156). (Planning to handle)

Res. 77-239 adopted (Dunlap/Newton, maj. - Mensinger and Siefkin, no) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

9. Continued hearing on amendment to Section 16-3-9 of the zoning map to rezone from R-1 to P-0 and P-D(151), property located on the southwest corner of Rumble and Coffee Road. (Rule Enterprises) 7:45 P.M.

ACTION: (Councilmember Kullijian was excused from consideration of this item due to a conflict of interest)

By motion, Ord. No. 1589-C.S. introduced (Elliott/Newton, unan. - Kullijian, absent) rezoning area. (Clerk to handle)

Res. 77-240 adopted (Elliott/Newton, unan. - Kullijian, absent) approving development plan P-D(151). (Planning to handle)

Res. 77-241 adopted (Elliott/Newton, unan. - Kullijian, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

10. Hearing to consider rate increases for CATV service in Modesto. 7:50 P.M.

ACTION: By motion (Dunlap/Siefkin, unan.) approving committee's report and recommendations.

Res. 77-242 adopted (Dunlap/Siefkin, unan.) adopting revised rates. (Clerk to handle)

11. Matters for the good of the community. 7:55 P.M.
(These may be presented by interested persons in the audience)

NONE

NEW BUSINESS

CONSENT
12. Consider approval of agreement between the City of Modesto and R. E. Fredricksen and Associates.
(The agreement provides for R. E. Fredricksen and Associates to furnish engineering services for Improvement District No. 23 consisting of street lighting for McHenry Avenue between Briggsmore Avenue and the north city limits. The Engineer is to furnish plans, specifications, cost estimates, assessment roll, assessment diagram and boundary map, all as required under a 1911 Act Improvement District Proceedings. Resolution approving agreement and resolution approving appropriation transfer needed. Estimated cost $19,000)

ACTION: Res. 77-243 adopted approving agreement. (Clerk to handle)

Res. 77-244 adopted approving appropriation transfer of $19,000 from Account 60-321 to Account 6639-410-321). (Finance to handle)

CONSENT
13. Consider agreement with Central District Board of Missions and Church Extension of the Methodist Church, a corporation, for the acquisition of a 3.673± acres site located on the east side of Prescott Road between Juanita Court and Esther Drive. Property is needed for Muncy Neighborhood Park site.
(The church board has agreed to sell their property to the City for $35,500 which is the appraised value of the subject property. The property contains 3.673± acres and is unimproved. The property is zoned R-1. Resolution accepting property and approving agreement with Church Board needed. Estimated cost $35,500 plus $750 escrow costs. Funds are budgeted)

ACTION: Res. 77-245 adopted accepting property and approving agreement. (P/W to handle)

CONSENT
14. Consider approval of final map of Chenault 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.
(Subdivider, John H. Chenault and Creeobell Chenault. The subdivision agreement has been signed and all fees paid. Chenault Estates subdivision is located on the north side of Griswold Avenue west of McHenry Avenue. It contains 1.492 acres. Resolution approving final map needed)

ACTION: Res. 77-246 adopted approving final map. (Clerk to handle)

CONSENT

15. Consider joining in an amicus curiae brief to be filed in the case of Aranda et al vs. Van Sickle et al and authorizing payment of $50.00 towards the cost thereof.
(Memo with agenda. Motion authorizing participation by City of Modesto and authorizing payment of $50.00 towards cost of the amicus curiae brief. Funds are budgeted)

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

15A. Consider joining in amicus curiae briefs to be filed in two cases.
(Memo with agenda. Motion authorizing joining in amicus curiae briefs needed)

ACTION: (Mayor Davies was excused from consideration of this item due to a conflict of interest)

By motion (Dunlap/Mensinger, unan. - Mayor Davies, absent) authorization granted to join amicus curiae briefs. (C/Atty to handle)

Mayor Davies left at 9:30 P.M.

REPORTS

CONSENT

17. Consider Greyhound application to increase fares and express rates.
(Memo with agenda. Application is to P.U.C. to allow a 5% increase. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

18. Set date for informal hearing. Implementation Strategies, City of Modesto Environmental Review Guidelines.
(Staff report of 2/16/77 attached. Recommends an informal public hearing at City Council meeting of 3/7/77. Two primary recommendations: (1) Staffing: By consultant hired as part time city employee at Assistant Planner level. (2) Fees: $30 for initial study; actual cost for EIR, $500 deposit. Resolution setting date for informal public hearing for March 7, 1977 at 4:20 P.M. needed. Estimated cost $10,000/year reimbursed from fees. Funds to be requested later, dependent on City Council decision.)

ACTION: Res. 77-247 adopted setting hearing. (Clerk to handle)

CONSENT

19. Recommend amendment to Section 13-3-8 of the zoning map - Danita Corporation.
(On February 15, 1977, the Planning Commission adopted Res. 77-37 recommending to the Council an amendment to Section 13-3-8 of the zoning map to rezone from R-1 to P-D to permit single-family attached housing development on the west side of Prescott, north of Mt. Vernon Drive. Resolution setting public hearing March 28, 1977 at 7:30 P.M. needed)

ACTION: Res. 77-248 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

20. Legislation.

NONE

21. Appointments.

ACTION: Councilmember Mensinger asked that the Committee's recommendations on procedures for making appointments to Boards and Commissions be discussed at the next meeting. (Clerk to handle)

22. Matters too late for the agenda.

ACTION: Councilmember Dunlap briefly mentioned his recent trip.

Adjourned at 9:40 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 7, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Mensinger, Siefkin, Mayor Davies
Absent: Councilmember Newton

Pledge of allegiance to the Flag.
Invocation by Reverend Lawrence R. Cartwright, Free Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 9, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30
Item 8 removed from agenda
Dunlap/Mensinger, unan. - Newton, 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 regular meeting of February 28, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Request from Central Valley Dance Company, Turlock, for financial support.
(Motion referring to proper budget session needed)

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

CONSENT
3. Letter from Mid-Valley Engineering appealing Planning Commission denial of request to rezone Randy Park on Evergreen west of Dillon Drive from R-1 and R-2 to P-D. (Modesto Development Co.)
(Resolution setting hearing on March 28, 1977 at 7:35 P.M. needed)

ACTION: Res. 77-249 adopted setting hearing. (Clerk to handle)

CONSENT
4. Appeal by Theodore M. Cook to decision of Board of Zoning Adjustment regarding a parking variance for 1024 - 10th Street. (Property leased by Bill Barr)
(Resolution setting hearing March 28, 1977 at 7:40 P.M. needed)

ACTION: Res. 77-250 adopted setting hearing. (Clerk to handle)

CONSENT
5. Request from Modesto Symphony Orchestra for an increased contribution during the 1977-78 fiscal year.
(Motion referring to proper budget session needed)

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

BIDS

CONSENT

6. Consider rejection of bids by Videomedia and Engineered Communications and authorizing new call for bids to be opened March 22, 1977, at 2:15 P.M. for furnishing one Council Chamber Sound System.
(Memo with agenda. Resolution rejecting bids and authorizng call for bids needed)

ACTION: Res. 77-251 adopted rejecting bid by Videomedia and Engineered Communications and authorizing new call for bids. (Finance to handle)

CONSENT

7. Consider acceptance of Western Pipeline's contract for construction of waterlines in Havenbrook Park No. 4 and Wyldewood Meadows No. 3. Original Contract: $16,334.00.
(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. Resolution accepting work as complete needed. Final cost: Contract, $15,185.80; Mains $14,160.80; Services $1,025.00. Funds are budgeted)

ACTION: Res. 77-252 adopted accepting contract as complete. (Clerk to handle)

8. Consider acceptance of C. I. Cunningham's contract for construction of Storm Drain Lift Station at El Vista and Encina. Original Contract $5,111.00.
(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. Resolution accepting work as complete needed. Final Cost: Contract $5,111.00. Funds are budgeted)

DROPPED FROM AGENDA

CONSENT

9. Consider award of bid for construction of sub-trunk sewer in Nightingale Way and Blue Bird Way.
(Bids were opened on March 1, 1977. The low bid of $82,000.00 was submitted by W. M. Lyles Co., which is 23% below the engineer's estimate. The bid is considered acceptable, therefore the Public Works Department recommends awarding the contract to them. Resolution awarding contract to W. M. Lyles Co. needed. Estimated Cost: $82,000.00. Funds are budgeted)

ACTION: Res. 77-253 adopted awarding bid to W. M. Lyles Co. (P/W to handle)

HEARINGS

10. Hearing, appeal by J. S. West to decision of Board of Zoning Adjustment regarding the placement of a sign, Sisk and Rumble Roads. 4:00 P.M.

ACTION: Res. 77-254 adopted (Siefkin/Mensinger, maj. - Kullijian, no - Newton, absent) denying appeal and upholding action of Board of Zoning Adjustment. (Planning to handle)

11. Hearing on appeal by Griswold & Wight to decision made by Board of Zoning Adjustment regarding a proposed sign, Sisk and Conant Roads. 4:05 P.M.

ACTION: Res. 77-255 adopted (Siefkin/Mensinger, maj. - Kullijian and Mayor Davies, no - Newton, absent) denying appeal and upholding action of the Board of Zoning Adjustment. (Planning to handle)

12. Hearing on amendment to Section 24-3-9 of the zoning map to rezone from R-1 to R-2, property located on the southwest corner of East Orangeburg and Claus Road. (John Zamora) 4:10 P.M.

ACTION: (Councilmember Kullijian was excused from consideration of this item due to a conflict of interest)

By motion, Ord. No. 1590-C.S. introduced (Elliott/Dunlap, unan. - Kullijian and Newton, absent) rezoning area. (Clerk to handle)

Res. 77-256 adopted (Elliott/Dunlap, unan. - Kullijian and Newton, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

13. Hearing on amendment to Section 15-3-9 of the zoning map to prezone to R-1, property located along the south side of Floyd Ave. west of Oakdale Road. (Planning Commission initiated) 4:15 P.M.

ACTION: By motion, Ord. No. 1591-C.S. introduced (Elliott/Dunlap, unan. - Newton, absent) prezoning area. (Clerk to handle)

Res. 77-257 adopted (Elliott/Dunlap, unan. - Newton, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

14. Informal hearing, Implementation Strategies, City of Modesto Environmental Review Guidelines. 4:20 P.M.

ACTION: By motion (Kullijian/Siefkin, unan. - Newton, absent) approving and requesting staff to prepare the necessary documents. (Planning to handle)

15. Matters for the good of the community, 4:25 P.M.
(These may be presented by interested persons in the audience)

ACTION: Bill Silvera requested information on property to be purchased for the soccer field. The City Manager referred him to the Parks and Recreation Director. (P & R to handle)

ORDINANCES

CONSENT

16. Consider amending 5 garbage ordinances to remove references to service charges.
(The existing ordinances granting licenses to the five garbage companies to collect garbage in the City include one section setting forth the rates and charges to be made for garbage collection. The Municipal Code provides for rates and charges to be established by the City Council from time to time by resolution. These ordinance amendments remove the section setting forth the rates and charges for garbage service and provide for the rates and charges to be reviewed annually by the City; and if deemed necessary by the City Council, allows for a rate adjustment to be made effective on or after January 1 of each year. Motion introducing ordinances needed)

CONSENT
16. Consider amending 5 garbage ordinances, continued.

ACTION: By motion, Ord. No. 1592-C.S. introduced (Modesto Garbage Co., dba Modesto Disposal Service.

By motion, Ord. No. 1593-C.S. introduced (Sanders Bros. Inc., dba Sanders Garbage Co.)

By motion, Ord. No. 1594-C.S. introduced (Airport Garbage Service)

By motion, Ord. No. 1595-C.S. introduced (Ronald T. Driscoll and Diane M. Driscoll, dba Orange Line Sanitation)

By motion, Ord. No. 1596-C.S. introduced (Bert & Delouries Bertolotti dba Bertolotti Disposal Service). (Clerk to handle)

CONSENT
17. Consider an ordinance amending Section 6-1.107 of Article 1 of Chapter 1 of Title VI of the Modesto Municipal Code to update references to the State Constitution regarding exclusions under the city's business license regulations.
(Memo with agenda. Introduction of ordinance needed)

ACTION: By motion, Ord. No. 1597-C.S. introduced amending Modesto Municipal Code relating to business licensing. (Clerk to handle)

NEW BUSINESS

CONSENT
18. The Police Department has two 1928 Model Thompson Sub-Machine Guns which are city property. These weapons are obsolete and have value as collector items. The Police Department desires to trade these weapons to a licensed dealer for more modern and useful firearms. (The City Manager has the authority with City Council approval to sell obsolete or surplus personal property. (City Charter 801). Memo with agenda. Resolution declaring two Thompson Machine Guns obsolete and authorizing the City Manager to sell such weapons).

ACTION: Res. 77-258 adopted declaring guns obsolete and authorizing City Manager to sell same. (Police to handle)

CONSENT
19. Consider acceptance of improvements in Sonoma Park Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods.
(Developer: Troy L. Harris. Sonoma Park Subdivision is located south of E. Orangeburg and west of Sonoma 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. 77-259 adopted accepting improvements as complete. (Clerk to handle)

CONSENT
20. Consider acceptance of improvements in Orangeburg Heights Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods.
(Developer: James Horn Construction Co. Orangeburg Heights Subdivision is located at the northwest corner of Lakewood Avenue 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 needed)

ACTION: Res. 77-260 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

21. Consider request for water service to property outside City limits at 1109 Carpenter Road, located on the west side of Carpenter Road between Woodland Avenue and Torrid Avenue.
(Owners: Geneavie Kaminski and Fern Brill. The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to City and a line exists to serve it. No city funds are involved. Resolution approving agreement needed)

ACTION: Res. 77-261 adopted approving agreement. (Clerk to handle)

CONSENT

22. Consider agreement with Juan E. and Guadalupe Lopez for the purchase of their real property located at the northeast corner of Rouse Avenue and Sunset Avenue for use as an addition to Del Webb Soccer Field.
(The Lopezs' have agreed to sell their unimproved lot to the City for $9,575 which is the appraised value of the property. The lot contains .77± acres and is located in the County. Zoning is R-2. This is one parcel out of a total of 12 needed for the project. Resolution accepting the property and authorizing the City Manager to execute the agreement needed. Estimated Cost: $9,575; $300 est. escrow fees; total $9,875. Funds are budgeted)

ACTION: Res. 77-262 adopted approving agreement. (P/W to handle)

CONSENT

23. Consider agreement with Anthony Crovo, Wayne R. Craig and Madeline Craig for the purchase of their real property located at 627 Sunset Avenue for use as an addition to Del Webb Soccer Field.
(Mr. Crovo and Mr. and Mrs. Craig have agreed to sell their property to the City for $11,250 which is the appraised value of the property. The property contains 0.91± acres and is improved with two 2-room rental units. Memo with agenda. Resolution accepting the property and authorizing the City Manager to execute the agreement. Estimated Cost: $11,250; $350 est. escros fees; Total $11,600. Funds are budgeted)

ACTION: Res. 77-263 adopted approving agreement. (P/W to handle)

CONSENT

24. Consider entering into a lease agreement with Frank Gonsalves, Jr., for a City-owned house at 608 Brighton.
(The lease agreement is on a month-to-month basis with a thirty-day cancellation provision. Mr. Gonsalves will pay the City $175 per month and he will pay any possessory interest taxes. He also will make any repairs himself. The house was formerly rented to Mr. Gonsalves' mother for 11 years, 6 of which the City owned the property. Since his mother has vacated, he would like to continue to live there and rent the house. His mother was paying $140 per month. Resolution authorizing the City Manager to execute the lease agreement needed)

ACTION: Res. 77-264 adopted approving agreement. (P/W to handle)

CONSENT

25. Consider staff report recommending the method of disposal for two parcels of land declared as being excess to City needs by the Planning Commission.
(Memo with agenda. Motion approving recommendations needed)

ACTION: By motion, recommendations approved. (P/W to handle)

CONSENT
26. A resolution amending the FY 1976-77 final budget to combine budgeting and accounting for the Modesto Motor Bus system in the Bus Service Fund (Fund 350).
(Memo with agenda. Resolution amending budget needed)

ACTION: Res. 77-265 adopted amending budget. (Finance to handle)

CONSENT
27. Request for refund of overpayment of business license taxes. (P & G Home Appliances)
(Memo with agenda. Resolution authorizing refund needed)

ACTION: Res. 77-266 adopted authorizing refund of $1,092.53 to P & G Home Appliances. (Finance to handle)

CONSENT
28. Consider agreement with David Johnson regarding the caretaking of the McHenry Mansion.
(Richard Dunn, the former caretaker of the McHenry Mansion has vacated the mansion. David Johnson has applied for the now vacant position. Mr. Johnson is a student. His references have been checked and substantiate that he is qualified. His duties and living arrangements are the same as the former caretakers. Resolution authorizing the City Manager to execute the agreement with David Johnson needed)

ACTION: Res. 77-267 adopted approving agreement. (P/W to handle)

CONSENT
29. Consider lease agreement with George Frederickson and Phillip Bravard for the lease of approximately 4500± square feet of undeveloped area of Fire Station No. 5. The area under consideration is not being used and is not slated for landscaping or development during the term of this lease.
(Mr. Bravard and Mr. Frederickson have asked that they be allowed to use the subject area for a garden. They will pay the City $53 for the use of the area which includes the right to use water from the Fire Station. The lease would expire October 31, 1977. The lessees are to leave the area clean when they leave. The lease will save the City the cost of maintaining the area. Resolution authorizing the City Manager to execute the lease agreement with Mr. Frederickson and Mr. Bravard needed)

ACTION: Res. 77-268 adopted approving agreement. (P/W to handle)

CONSENT
30. The Modesto-Ceres Ambulance Co. by three applications is requesting a corporation name change from Eleven-41 Inc. to 911 Emergency Services, Inc., and approval to use a backup vehicle when the regular ambucab is being serviced.
(Memo with agenda. Three resolutions setting hearings on March 21, 1977 at 4:05 P.M. needed)

ACTION: Res. 77-269 adopted setting hearing.
Res. 77-270 adopted setting hearing.
Res. 77-271 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

31. Legislation.

ACTION: By motion (Elliott/Mensinger, unan. - Newton, absent) SB 4 supported.

By motion (Mensinger/Elliott, unan. - Newton, absent) AB 351 opposed. (C/Mgr to handle)

32. Appointments.

(a) Discuss procedures for making appointments to Boards and Commissions.

ACTION: By motion (Elliott/Dunlap, unan. - Newton, absent) this item held over for two weeks with Councilmembers giving any questions they have to the City Manager for the Council Appointments Committee. (C/Mgr to handle)

(b) Other

NONE

33. Matters too late for the agenda.

ACTION: Councilmembers Mensinger and Kullijian reported on the status of the animal control study.

Adjourned at 6:20 P.M. to March 11, 1977 at 12:00 noon at the Sundial for a farewell luncheon for Councilmember Newton.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 14, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation by Reverend Ron Hurst, Maze Boulevard Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 4, 5, 6, 7, 8, 9, 17(a), 17(e), 18, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34, 36, 37
Items 31, 35 and 38 removed from consent
Dunlap/Newton, 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)

COMMENDATION

Appreciation and commendations were expressed to Councilmember Newton for the eight years of service he has given the people of Modesto. Farewell remarks were made by Councilmember Newton.

INTRODUCTION

Mayor Davies introduced Councilmember Elect Richard A. Lang.

MINUTES

CONSENT
1. Approval of minutes of regular meeting of March 7, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from G. B. Craig, Commissioner of the California Highway Patrol, regarding designation of May 1977 as "55 MPH Compliance Month."

ACTION: Mayor Davies will issue a proclamation designating May, 1977, as "55 MPH Compliance Month."

3. Letter from Fonnie Bartholomew regarding site for the Community Center - Auditorium.

ACTION: By motion (Kullijian/Newton, unan.) staff to consider this letter in its study of a community center site.

CONSENT
4. Appeal by Modesto Racing Pigeon Club of Planning Commission decision regarding the number of racing pigeons which can be kept in residential areas.
(Resolution setting hearing March 28, 1977 at 7:45 P.M. needed)

ACTION: Res. 77-272 adopted setting hearing. (Clerk to handle)

CONSENT
5. Letter from the Downtown Improvement District requesting permission to hold a sidewalk sale March 17, 18, and 19, 1977.
(Resolution approving request needed)

ACTION: Res. 77-273 adopted approving request. (Clerk to handle)

CONSENT
6. Appeal by Empire Union School District to Planning Commission's decision concerning Goldcoast Estates tentative subdivision map.
(Resolution setting hearing April 4, 1977 at 4:20 P.M. needed)

ACTION: Res. 77-274 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT
7. Consider authorizing the State of California to purchase products for and on behalf of the City of Modesto and directing the Purchasing Officer to sign and deliver all necessary requests on behalf of the City.
(Memo with agenda. Resolution authorizing State of California to purchase products on behalf of the City of Modesto needed)

ACTION: Res. 77-275 adopted authorizing State of California to purchase products on behalf of the City of Modesto. (Finance to handle)

CONSENT
8. Consider acceptance of Morrow & Waggoner's contract for construction of curb, gutter and appurtenances on Cuesta Avenue.
(Original contract $4,587.90. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final contract cost $4,598.28. Funds are budgeted)

ACTION: Res. 77-276 adopted accepting contract as complete. (Clerk to handle)

CONSENT
9. Consider approval of plans and specifications and call for bids for construction of waterlines in Scott Estates.
(Suggested bid opening March 29, 1977 at 11:00 A.M. Costs and revenues: Construction $70,479.00; connection charges, $37,620.00; net revenue, $2,975.40. Resolution approving bid call needed. Estimated cost $70,479 ($58,885 contract; $11,594 Engr. and Matls.) Funds are partially budgeted. Balance will be transferred after bids are opened and the exact costs knows)

ACTION: Res. 77-277 adopted approving plans, specifications and bid call. (P/W to handle)

10. Consider award of contract for City Hall expansion - 77.
(Bids were opened March 1, 1977. The low bid of $1,297,900 submitted by Robert G. Fisher Co., Inc. is 3% above the Architects Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Memo with agenda. Resolution awarding contract needed. Estimated cost $1,305,900 ($1,297,900 Const.; $8,000 Engr.) Funds are budgeted)

ACTION: Res. 77-278 adopted (Elliott/Dunlap, unan.) awarding contract to Robert G. Fisher Co., Inc. (P/W to handle)

HEARINGS

11. Hearing on appeal by Max Hanney to Planning Commission denial of request for commercial zoning at northwest corner of Maze and Emerald. 7:30 P.M.

ACTION: Res. 77-279 adopted (Dunlap/Kullijian, unan.) granting the applicant's request to withdraw the appeal without prejudice. (Clerk to handle)

12. Hearing on amendment to Section 23-3-9 of the zoning map to repeal P-D(62) and rezone to R-2, property located at the northeast corner of Oakdale Road and Peppermint Drive. (Lance Ellis) 7:35 P.M.

ACTION: Ord. No. 1598-C.S. introduced (Elliott/Kullijian, unan.) rezoning area. (Clerk to handle)

Res. 77-280 adopted (Elliott/Kullijian, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

13. Hearing, amendment to Chapter 2 of Title X and Chapter 2 of Title III pertaining to commercial vehicles in residential neighborhoods and businesses conducted in the home. 7:40 P.M.

By motion,

ACTION: Ord. No. 1599-C.S. introduced (Newton/Siefkin, unan.) amending Modesto Municipal Code relating to the zoning regulations. (Clerk to handle)

By motion,

Ord. No. 1600-C.S. introduced (Newton/Siefkin, unan.) amending Modesto Municipal Code relating to parking of trucks and commercial vehicles. (Clerk to handle)

14. Hearing on amendment to Section 12-3-8 of the zoning map to rezone from R-1 to P-D(154) to permit construction of a commercial complex on property located on the east side of Dale Road north of Standiford. (Firestone Tire & Rubber Co.) 7:45 P.M.

ACTION: By motion, Ord. No. 1601-C.S. introduced (Mensinger/Newton, unan.) rezoning area. (Clerk to handle)

Res. 77-281 adopted (Mensinger/Newton, unan.) approving development plan P-D(154). (Planning to handle)

Res. 77-282 adopted (Mensinger/Newton, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

15. Hearing on amendment to Chapter 2 of Title X - Airport Zone. 7:50 P.M.

ACTION: By motion, Ord. No. 1602-C.S. introduced (Elliott/Dunlap, unan.) adding Article 33 to Chapter 2 of Title X of the Modesto Municipal Code relating to the Airport Zone. (Clerk to handle)

16. Matters for the good of the community. 7:55 P.M.
(These may be presented by interested persons in the audience)

ACTION: John Funnell, Farm-City Advisory Committee Chairman, was introduced.

ORDINANCES

17. Final adoption of the following ordinances:

CONSENT
17a. No. 1587-C.S. amending section map 12-3-8 (Sanders Construction Co., Dale Road)
(Motion with roll call vote needed)

ACTION: By motion, Ord. No. 1587-C.S. adopted. (Clerk to handle)

17b. No. 1588-C.S. amending section map 7-3-9. (John Ward, Tully Road)
(Motion with roll call vote needed)

ACTION: By motion (Kullijian/Elliott, maj. - Mensinger and Siefkin, no) Ord. No. 1588-C.S. adopted. (Clerk to handle)

17c. No. 1589-C.S. amending section map 16-3-9. (Rule Enterprises, Coffee and Rumble Roads)
(Motion with roll call vote needed)

ACTION: (Councilmember Kullijian was excused from consideration of this item due to a conflict of interest)

By motion (Mensinger/Siefkin, unan. - Kullijian, absent) Ord. No. 1589-C.S. adopted. (Clerk to handle)

17d. No. 1590-C.S. amending section map 24-3-9. (John Zamora, Orangeburg and Claus Roads)
(Motion with roll call vote needed)

ACTION: (Councilmember Kullijian was excused from consideration of this item due to a conflict of interest)

By motion (Mensinger/Siefkin, unan. - Kullijian, absent) Ord. No. 1590-C.S. adopted. (Clerk to handle)

CONSENT
17e. No. 1591-C.S. amending section map 15-3-9. (Planning Commission, Floyd and Oakdale Roads)
(Motion with roll call vote needed)

ACTION: By motion, Ord. No. 1591-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT
18. Reconsider requirement for sidewalks on West Morris Avenue on Holtham and Smith properties.
(The Council considered sidewalks for the Holtham and Smith properties in November of last year. Because of a question raised by the property owners, the matter was put over. The staff is recommending that we reinstitute the requirement for sidewalks. Memo with agenda. Motion directing staff to take the necessary steps to cause construction of sidewalks along the West Morris frontage of the Holtham and Smith properties needed)

ACTION: By motion, staff to take steps to cause sidewalk installation at Holtham and Smith properties on West Morris. (P/W to handle)

19. Further consideration of the Master Plan for the Modesto City-County Airport/Harry Sham Field.
(On November 15, 1976, the Airport Master Plan was submitted to the Council. After consideration, it was referred back to the staff for review by the Environmental Assessment Committee and for review of the areas of concern expressed by Councilmember Kullijian, The review has been completed and the Master Plan is ready for further consideration. Memo with agenda. Resolution approving Master Plan needed)
(Kullijian/Newton, unan.)

ACTION: Res. 77-283 adopted/approving master plan with memos from Advisory Committee and Councilmember Kullijian attached. (Clerk to handle)

By motion (Kullijian/Newton, unan.) Advisory Committee to return by the end of 1977 with a recommendation as to whether the terminal should be enlarged or a new building constructed. (P/W to handle)

NEW BUSINESS

20. Consider conflict of interest codes for all city agencies.

(a) Consider requirement for conflict of interest code for Culture Commission.

ACTION: Res. 77-284 adopted (Elliott/Dunlap, unan.) deleting the Culture Commission from the list of agencies required to file codes. (Clerk to handle)

(b) Consider requirement for conflict of interest code for D.I.D.

ACTION: Res. 77-285 adopted (Elliott/Kullijian, maj. - Mensinger and Siefkin, no) deleting D.I.D. from list of agencies required to file codes. (Clerk to handle)

(c) Hearing for May 2, 1977 at 4:00 P.M. re conflict of interest codes.
(Resolution needed) Memos with agenda.

ACTION: Res. 77-286 adopted (Kullijian/Dunlap, unan.) setting hearing for May 2, 1977, at 4:00 P.M. (Clerk to handle)

CONSENT
21. Consider recommendation for additional positions to be funded by Title II of Public Works Act of 1976. Memo with agenda.
(Motion approving additional positions to be funded by Public Works Act of 1976)

ACTION: By motion, additional positions approved. (Personnel to handle)

CONSENT
22. Consider two new position classifications: Public Services Trainee, Management Assistant - Risk Manager.
(Memo with agenda. Resolution revising Position Classification Plan and resolution amending salary schedule needed)

ACTION: Res. 77-287 adopted revising Position Classification Plan.

Res. 77-288 adopted amending salary schedule. (Personnel to handle)

CONSENT

23. Report of Superintendent of Streets on the cost of installation of curbs and/or sidewalks at the locations listed below.
(Resolution setting 4:10 P.M., April 4, 1977 for hearings needed. Funds are budgeted)

(a) Curb at 1313 Tuolumne Blvd., Lot 22 and 23 of Block 341. (Alice Archuleta and Edward M. Archuleta - $285.00)

(b) Curb and sidewalk at 105 Lane St. Lots 25 and 26 of Block 210. (Eddie L. Brubaker - $462.40.)

(c) Curb and sidewalk along Lane Street at 219 James St., Lot 1 and 2 of Block 210. (David A. Cerutti - $1,163.80)

(d) Curb and sidewalk at 110 Lane St., Lot 27 and 28 of Block 210. (Robert W. Cole - $462.40)

(e) Sidewalk along College Ave. at 1047 Harvard Ave., Lot 8 and the South 30 feet of Lot 9, Block 812. (Lillian Cunningham and Mary H. Cunningham - $415.20)

(f) Curb and sidewalk along Lane St. at 303 James St., a portion of Block 208. (Susan E. Gnesa - $892.40)

(g) Sidewalk along Yosemite Blvd. at 841 Yosemite Blvd., a portion of Block 259. (Orval D. Fowler - $806.00)

(h) Sidewalk at 1611 Sunrise Ave., Lot 7 of Block 1242. (Shirley A. Geiger - $208.00)

(i) Curb at 506 Twelfth St., Lots 19 and 20 of Block 97. (J. C. Herndon - $375.60)

(j) Curb and sidewalk at 119 and 121 Lane St., a portion of Block 208. (Charles L. Ingram - $610.35)

(k) Curb and sidewalk along Lane St. at 102 Lane St., Lots 23 and 24 of Block 210. (Juventino Nevarez - $440.00)

(l) Curb along "F" Street at 1216 F St., a portion of Block 97. (Donald E. O'Neal - $710.00)

(m) Curb and sidewalk at 123 Lane St., a portion of Block 208. (Bruce A. Pearse - $473.20)

(n) Sidewalk repair at 813 Eighth St., a portion of Block 43. (Joy Tamaras - $66.00)

(o) Curb and sidewalk at 112 Lane St., Lots 29 and 30 of Block 210. (Joseph Sauer - $440.00)

(p) Curb and sidewalk along W. Morris Ave. at 445 Hackberry Ave. Lots 47 and 48 of Block 519. (Wallie W. Smith - $1,410.00)

(q) Curb along Lane St. at 222 James St., Lot 1 of Block 209. (Robert M. Sorensen - $957.00)

ACTION: Res. 77-289 adopted setting hearing. (Clerk to handle)

CONSENT

24. Consider filing an application with the State of California Department of Health to renew the permit to operate the City of Modesto water system.
(It is necessary to renew the permit with the State Health Department to operate the City of Modesto water system. Memo with agenda. Resolution approving application needed)

ACTION: Res. 77-290 adopted approving filing of application. (P/W to handle)

CONSENT

25. Consider termination and renegotiation of several fixed base operator and concessionaire leases at the Modesto City County Airport/Harry Sham Field.
(Annually the staff reviews the Airport leases and recommends those to be renegotiated. Memo with agenda. Resolution giving notice of termination of leases needed)

ACTION: Res. 77-291 adopted giving notice of termination of leases. (P/W to handle)

CONSENT

26. Review of second draft: Proposed Housing Element Guidelines by California Department of Housing and Community Development.
(Memo with agenda. Motion directing that City's concerns be communicated to the State needed)

ACTION: By motion, staff directed to communicate City's concerns to the State. (Planning to handle)

CONSENT

27. Consider amending Resolution No. 75-408 to allow for the charging of reasonable fees for the screening of applicants for licenses to sell concealable firearms.
(Memo with agenda. Resolution superseding Resolution 75-408 needed)

ACTION: Res. 77-292 adopted designating the Modesto Police Dept. as the licensing authority for issuing licenses for the sale of concealable weapons in the City of Modesto and establishing fees therefor. (Police to handle)

CONSENT

28. Set date for public hearings, approval of Third Year Community Development Application to HUD Block Grant.
(On February 10, 1977, the Citizens' Housing and Community Development Committee held a public hearing on the proposed application. The Committee approved the application at a second meeting on March 7, 1977, for transmittal to the City Clerk. Minutes of both meetings will be provided prior to the hearings. Resolution setting public hearing for April 4, 1977 at 4:15 P.M. needed)

ACTION: Res. 77-293 adopted setting hearing. (Clerk to handle)

CONSENT

29. Consider utilization of the 1977 and 78 Federal Aviation Administration apportionment funds to complete capital improvement projects at the Modesto City-County Airport/Harry Sham Field.
(In order to complete needed Airport Capital Improvement Projects, Airport apportionment funds for 1978 will need to be used in addition to those for 1977. Memo with agenda. Resolution requesting the use of the 1978 Airport apportionment funds needed)

ACTION: Res. 77-294 adopted approving the use of 1978 Airport apportionment funds. (P/W to handle)

CONSENT

30. Consider agreement with Irene M. Lowe Greenhaw for the purchase of 0.308± acres of her property for the Scenic/Rose intersection project. (Memo with agenda. Mrs. Greenhaw has agreed to sell a portion of her property at the northwest corner of Scenic Drive and Rose Avenue to the City. The City will pay Mrs. Greenhaw $8,363 for the right of way and put in curbs and gutters as part of the project. Also part of the agreement is a three-year deferment on the installation of sidewalks. Resolution accepting property and authorizing the City Manager to execute the agreement needed. Estimated cost $8,363; $500.00 estimated escrow costs; total, $8,863. Funds are budgeted)

ACTION: Res. 77-295 adopted approving agreement. (P/W to handle)

31. Consider water conservation methods for the City of Modesto. (It is recommended several water conservation methods be instituted to mitigate the conditions arising from the low rainfall and snowpack. The recommended methods include the elimination of outside watering from 3 P.M. to 9 P.M., asking residents to water less frequently, providing water conservation kits to those residents requesting them, and conducting a water conscientiousness and conservation education program. Memo with agenda. Motion accepting report and recommendations needed)

ACTION: By motion (Dunlap/Siefkin, unan.) report and recommendations accepte (P/W to handle)

By Order of the Chair, City Manager requested to set up a joint City Council M.I.D. Board meeting to discuss water and electrical power shortage problems. (C/Mgr to handle)

REPORTS

CONSENT

32. Consider report on notice received from the State of California Public Utilities Commission concerning an application of United Air Lines, Inc. for authorization to increase intrastate passenger fares. (The staff has reviewed this matter and recommends the City take a neutral position. Memo with agenda. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

CONSENT

33. Presentation of financial statement for February 1977. (Copies of report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

34. Recommend amendment to Planned Development Zone, P-D(109) - Vintage Faire. (On March 1, 1977, the Planning Commission adopted Resolution No. 77-45 recommending to the Council a revision to Planned Development Zone P-D(109) to include a permitted use, a family amusement center (Vintage Faire Shopping Center). Resolution setting public hearing April 11, 1977 at 7:30 P.M. needed)

ACTION: Res. 77-296 adopted setting hearing. (Clerk to handle)

35. Uninhabited annexation to the City of Modesto - Capitol Drive Addition.
(The LAF Commission has authorized this annexation without notice of public hearing - Febraury 18, 1977. Resolution approving annexation needed)

ACTION: Res. 77-297 adopted (Kullijian/Elliott, maj. - Mensinger and Siefkin, no) annexing area. (Clerk to handle)

CONSENT
36. Uninhabited annexation to the City of Modesto - North Rexford Addition.
(The LAF Commission has authorized this annexation without notice of public hearing - December 17, 1976. Resolution approving annexation needed)

ACTION: Res. 77-298 adopted annexing area. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT
37. Request from League of California Cities for payment of special building assessment of $8,995.50 for the League's office building in Sacramento.
(Copy of League letter with agenda. Motion approving payment; resolution approving appropriation transfer needed)

ACTION: By motion, payment approved.

Res. 77-299 adopted approving appropriation transfer of $8,996.00 from Account 60-800-101 to Account 5201-650-101. (Finance to handle)

38. Approval of appropriation transfer to provide engineering required to prepare 7 projects for development with EDA Public Works Act funding. Resolution approving appropriation transfer of $158,000 needed)

ACTION: Res. 77-300 adopted (Dunlap/Elliott, maj. - Kullijian, no) approving appropriation transfer of $158,000 from Account 60-321 to Accounts 6372-270-321 ($30,000); 6315-270-321 ($35,000); 6290-270-321 ($35,000); 6362-270-321 ($20,000); 6339-270-321 ($13,000); 6427-270-321 ($15,000); 6474-410-321 ($7,000); and 6014-410-321 ($3,000): (Finance to handle)

Staff requested to give the Council information on operation costs of neighborhood centers. (C/Mgr to handle)

MISCELLANEOUS

39. Legislation.

NONE

40. Appointments.

NONE

41. Matters too late for the agenda.

NONE

Adjourned at 10:33 P.M. to Tuesday, March 15, 1977 at 4:00 P.M. to canvass the votes of the March 8, 1977 election.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
March 15, 1977

The Council of the City of Modesto met pursuant to adjournment at 4:00 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger, Newton, Siefkin
Absent: Councilmembers: Mayor Davies

Res. 77-301 adopted (Dunlap/Siefkin, unan. - Mayor Davies, absent) confirming the canvass of votes cast at the General Municipal Election held March 8, 1977, and declaring the results of said election.

Res. 77-302 adopted (Dunlap/Siefkin, unan. - Mayor Davies, absent) confirming the canvass of votes cast at the Special Municipal Election held March 8, 1977, and declaring the results of said election.

The City Clerk then administered the oath of office to the following:

Councilmembers	Board of Education
Peggy Mensinger	Martha Ashleigh
Harry T. Kullijian	Anthony Bedford
Richard A. Lang	Robert C. Bienvenu
	John N. Uhl
	Alan G. Vincent

There being no further business to come before the Council, the meeting was adjourned at 4:15 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 21, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 5, 6, 10, 11, 12, 13, 14, 15, 16, 17, 20, 21
Item 19 dropped from agenda
Dunlap/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 meeting of March 14, 1977 and adjourned regular meeting of March 15, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter and resolution from Empire Union, Hart-Ransom Union, Salida Union, Stanislaus Union and Sylvan Union School Districts regarding financial problems of the Schools.

ACTION: School representatives were assured that the Council is supportive of the districts efforts to solve the problems and would be willing to be represented on a committee to find solutions.

3. Letter from representatives of the Humane Society and S.P.C.A. Spay-Neuter Committee regarding a low-cost clinic.

ACTION: By Order of the Chair, the Council Animal Control Committee to meet with the County re a spay/neuter clinic and report back to Council. (C/Mgr to handle)

4. Memo from Tuolumne River Regional Park Committee regarding a proposed amendment to the Tuolumne River Regional Park agreement.

ACTION: Res. 77-303 adopted approving amendment to agreement. (P & R to handle)

BIDS

CONSENT
5. Consider approval of purchase order for repair of irrigation line at Mancini Park.
(The Parks and Recreation Department removed an irrigation box that existed in an easement adjacent to Mancini Park. The irrigation line has been plugged temporarily; however, it is now necessary to have the plug removed so that the park can be irrigated. Informal bids were requested from ten contractors involved in this type of work. Only one submitted a bid. It is recommended that the staff be authorized to issue a purchase order for this work. Estimated cost $4,275. Funds are budgeted. Resolution authorizing issuance of purchase order needed)

CONSENT

5. Consider approval of purchase order for repair of irrigation line at Mancini Park, continued.

ACTION: Res. 77-304 adopted authorizing issuance of purchase order. (Finance to handle)

CONSENT

6. Consider award of contract for construction of Woodrow Park lighting. (Bids were opened March 15, 1977. The low bid of $7,746.00 submitted by Ferrero Electric, which is 16% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Funds are budgeted)

ACTION: Res. 77-305 adopted awarding contract to Ferrero Electric. (P/W to handle)

HEARINGS

7. Hearing on amendment to Section Maps 11-3-8 and 12-3-8 of the zoning map to rezone from R-1 to P-D to permit construction of a community shopping center on property located at the southeast corner of Standiford Ave. and Sisk Road. (C. J. Rumble & Sons) 4:00 P.M.

ACTION: Ord. No. 1603-C.S. introduced (Kullijian/Elliott, maj. - Mensinger and Siefkin, no) rezoning area.

Res. 77-306 adopted (Kullijian/Elliott, maj. - Mensinger and Siefkin, no) approving development plan P-D(155). (Planning to handle)

Res. 77-307 adopted (Kullijian/Elliott, maj. - Mensinger and Siefkin, no) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

(a) Vacation and abandonment of realigned portion of Dale Road south of Standiford Ave. (C. J. Rumble and Sons, Inc.)
(On February 15, 1977, the Planning Commission adopted Resolution 77-34 recommending to the Council the vacation and abandonment of the realigned portion of Dale Road south of Standiford Avenue. This right of way has been superseded by realignment and can be considered under a summary proceedings. Motion declaring intention to vacate and abandon the realigned portion of Dale Road south of Standiford Avenue needed)

ACTION: By motion (Elliott/Lang, unan.) intention to vacate and abandon a portion of Dale Road was declared. (Planning to handle)

8. Hearing, Modesto-Ceres Ambulance Co., name change and addition of a limited ambulance or "ambucab." 4:05 P.M.

ACTION: By motion (Kullijian/Dunlap, unan.) request by Floyd Graves, a representative of the Modesto-Ceres Ambulance Co., for a 4-week delay approved. (To be continued to April 18, 1977 at 4:00 P.M.) (Clerk to handle)

9. Matters for the good of the community. 4:10 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT
10. Final adoption of the following:
(Motion with roll call vote needed)

(a) Ord. No. 1592-C.S. relating to Modesto Garbage Co. franchise.

(b) Ord. No. 1593-C.S. relating to Sanders Brothers, Inc. franchise.

(c) Ord. No. 1594-C.S. relating to Airport Garbage Service franchise.

(d) Ord. No. 1595-C.S. relating to Orange Line Sanitation Co. franchise.

(e) Ord. No. 1596-C.S. relating to Bertolotti Disposal Service franchise

(f) Ord. No. 1598-C.S. amending Section map 23-3-9, Lance Ellis.

(g) Ord. No. 1599-C.S. amending the zoning regulations.

(h) Ord. No. 1600-C.S. relating to parking of trucks, commercial vehicle

(i) Ord. No. 1601-C.S. amending Section Map 12-3-8, Firestone Tire & Rubber Co.

(j) Ord. No. 1602-C.S. relating to the Airport Zone.

(k) Ord. No. 1597-C.S. relating to business licensing.

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

NEW BUSINESS

CONSENT
11. Consider terminating agreement for City operation of the Bank of California parking lot at 12th & J Streets.
(Memo with agenda. The City has operated this lot on Saturdays as an attendant lot since 1964. Since Penney's has moved, parking demand in the area has dropped sharply.
(Motion approving termination of agreement needed)

ACTION: By motion, termination of agreement approved. (P & T to handle)

CONSENT
12. Renewal of food concession at Beard Brook Park.
(Mr. Charles Wright has requested the renewal of a contract to operate a food concession at Beard Brook Park. The City's relationship with Mr. Wright regarding this concession has been most satisfactory, and it is recommended thatthe contract be renewed for one year. All the terms and conditions which applied under the last agreement will remain in force. Resolution approving agreement needed)

ACTION: Res. 77-308 adopted approving agreement. (P & R to handle)

CONSENT
13. Consider cooperative agreement with the United States Geological Survey for ground water study in the Modesto area for 1977-78 fiscal year.
(The work proposed for next fiscal year includes data collection, analyzing the data, and developing constants for a mathematical model of the underground water basin. Memo with agenda. Resolution authorizing execution of cooperative agreement needed)

ACTION: Res. 77-309 adopted approving agreement. (P/W to handle)

CONSENT

14. Agreement with Recreation Systems, Inc.
(Agreement provides that Recreation Systems, Inc., landscape architects, will prepare a master plan for Floyd #2 Neighborhood Park for a sum not to exceed $4,000.00, to be ready by May 3, 1977. Resolution approving agreement needed. Funds are budgeted)

ACTION: Res. 77-310 adopted approving agreement. (P & R to handle)

CONSENT

15. Consider approval of the final map of the College Terrace 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.
(Subdivider, Norman J. Winsor and Lola Jean Winsor, and Fritz Hutcheson and Betty L. Hutcheson. The subdivision agreement has been signed and all fees paid. College Terrace Subdivision is located at the southwest corner of College Avenue and Bowen Avenue. It contains 11.114 acres. Resolution approving final map needed)

ACTION: Res. 77-311 adopted approving final map of College Terrace Estates Subdivision. (Clerk to handle)

CONSENT

16. Consider approval of final map of the Springcreek 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.
(Subdivider, Vince G. Lancey. The subdivision agreement has been signed and all fees paid. Springcreek No. 2 Subdivision is located north of Scenic Drive west of Claus Road. It contains 11.754 acres. Resolution approving final map needed)

ACTION: Res. 77-312 adopted approving final map of Springcreek No. 2 Subdivision. (Clerk to handle)

REPORTS

CONSENT

17. Notice of P. G. and E. Company application to P.U.C. to increase the cost of natural gas.
(Memo with agenda. The increase amounts to $8,975.00 in 1977, somewhat less than 1% of gas revenues, and is to offset the cost of supplemental gas conservation programs. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

18. Report on proposed remodeling and expansion of Senior Citizens Center.
(Report on offer of Modesto Senior Citizens, Inc. to provide $100,000 toward the expansion and remodeling of the Senior Citizens Center. Memo with agenda. Motion directing staff needed)

ACTION: By motion (Dunlap/Kullijian, unan.) the staff was directed to work with Modesto Senior Citizens on the preparation of an agreement. (C/Atty to handle)

19. Report on request by Mr. Francis R. Ruggieri on behalf of William L. Caruso for city sewer extension to property outside the city limits.
(Motion denying request needed)

DROPPED FROM AGENDA

REPORTS FROM THE PLANNING COMMISSION

CONSENT

20. Recommend amendment to Section 25-3-9 of the zoning map - Robert Bomberger.
(On March 1, 1977, the Planning Commission adopted Resolution No. 77-44 recommending to the Council an amendment to Section 25-3-9 of the zoning map to rezone from R-1 to R-2, property located on the east side of Lincoln Avenue between Penny Lane and Yosemite Boulevard. (Robert P. Bomberger). Resolution setting public hearing April 25, 1977 at 7:30 P.M. needed)

ACTION: Res. 77-313 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFER

CONSENT

21. Consider appropriation transfer of $10,000 to increase the fiscal year 76-77 budget for maintenance and operation of street lights and traffic signals.
(Increased utility and parts prices and a number of damaged standards resulted in depletion of available funds. Memo with agenda. Resolution approving appropriation transfer needed)

ACTION: Res. 77-314 adopted approving appropriation transfer of $10,000 from Account 60-101 to Account 320-430-101. (Finance to handle)

MISCELLANEOUS

22. Legislation.

ACTION: By motion (Kullijian/Lang, unan.) AB 389 supported.
By motion (Kullijian/Elliott, unan.) AB 155 opposed.
(C/Mgr to handle)

23. Appointments.
(a) Discussion of procedures for making appointments to Boards and Commissions.

ACTION: By motion (Elliott/Mensinger, unan.) proposed guidelines approved.

(b) Other.

NONE

24. Matters too late for the agenda.

NONE

Adjourned at 6:30 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 28, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag.
Invocation by Reverend Peter Van Tuinen, Christian Reform Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 8, 9, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36
Dunlap/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 regular meeting of March 21, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Letter from Francis R. Ruggieri on behalf of Ryan Outdoor Advertising, Inc. requesting amendment of Section 10-2.3511 of the Modesto Municipal Code.
(Letter and memo with agenda. Motion approving recommendation needed)

ACTION: By motion, recommendation to take no action approved. (Clerk to handle)

CONSENT
3. Letter from Greater Modesto Chamber of Commerce requesting an appropriation in the 1977-78 budget.
(Motion referring to proper budget session needed)

ACTION: By motion, referred to proper budget session, along with letter from Carmen Sabatino. (Finance to handle)

4. Letter from Paul Waddell regarding street lights on Klemm Court.

ACTION: Councilmember Kullijian said Mr. Waddell asked him to request the City Staff to set a meeting with the people on Klemm Ct. By Order of the Chair, the staff is to do so. (P/W to handle)

5. Letter from Downtown Improvement District Advisory Board regarding the proposed 11th Street Park.

ACTION: By motion (Elliott/Dunlap, unan.) action postponed and letter referred to staff for inclusion in the Community Center and parking structure study. (C/Mgr to handle)

6. Letter from McHenry Village Merchants regarding traffic control on the McHenry Village property.

ACTION: (Councilmember Dunlap was excused from consideration of this item due to a conflict of interest)

The City Manager said ordinances are being prepared to make it possible for the Police Department to patrol McHenry Village and Vintage Faire parking lots.

7. Petition from 59 citizens regarding "Family Amusement Center" zoning.

ACTION: By Order of the Chair, staff to provide up-to-date information regarding the experience of other cities with "Family Amusement Centers" in time for the hearing scheduled for April 25, 1977. (Police to handle)

BIDS

CONSENT
8. Consider acceptance of Ferrero Electric's contract to revise street light circuit on McHenry between Fairmont and Orangeburg.
(Original contract, $11,623. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and file notice of completion. Resolution accepting work as complete needed. Final cost $11,696. Funds are budgeted)

ACTION: Res. 77-315 adopted accepting contract as complete. (Clerk to handle)

CONSENT
9. Consider acceptance of Joe Martin's contract for construction of waterlines in Reno Avenue.
(Original contract $10,280.40. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost $10,675.80. Funds are budgeted)

ACTION: Res. 77-316 adopted accepting contract as complete. (Clerk to handle)

CONSENT
10. Consider acceptance of Western Pipeline's contract to construct waterlines in Carver Glen No. 2 Subdivision.
(Original contract $52,709.50. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost: contract, $53,051.80; Main, $49,511.80; Services, $3,540.00. Funds are budgeted)

ACTION: Res. 77-317 adopted accepting contract as complete. (Clerk to handle)

CONSENT
11. Consider acceptance of C. I. Cunningham's contract for construction of Storm Drain Lift Station at El Vista and Encina.
(Original contract, $5,111.00. All work on this project has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to file notice of completion. Resolution accepting work as complete needed. Final cost, contract, $5,111. Funds are budgeted)

ACTION: Res. 77-318 adopted accepting contract as complete. (Clerk to handle)

CONSENT

12. Consider award of contract for construction of Revard Park Stage I. (This project also includes the completion of the construction of Tokay Avenue and Bodega Lane. Memo with agenda. The low bid for this project was $52,685.00, which is 21% higher than the Engineer's Estimate. The explanation of this difference is in the attached memo. Resolution awarding contract to George Reed, Inc. needed. Estimated cost $52,685. Funds are budgeted)

ACTION: Res. 77-319 adopted awarding contract to George Reed, Inc. (P/W to handle)

CONSENT

13. (1) Consider waiving formal bid procedures and authorizing the purchase and refurbishment of Christmas decorations for D.I.D. from Valley Decorating Company for $20,911.97.
(Resolution authorizing purchase and refurbishment of Christmas decorations. Five affirmative votes needed)

ACTION: Res. 77-320 adopted waiving formal bid procedure and authorizing purchase. (Finance to handle)

(2) Consider authorizing the transfer of funds from the Reserve for Beautification Account 62-800-218 to the Christmas Decoration Account 5398-060-218.
(Resolution authorizing fund transfer needed)

ACTION: Res. 77-321 adopted approving appropriation transfer of $21,000 from Account 62-800-218 to Account 5398-060-218. (Finance to handle)

CONSENT

14. Consider approval of specifications and call for bids for Project No. 7 - replacement of curbs and drive approaches at various locations. (Suggested bid opening date April 12, 1977 at 11:00 A.M. This project is required to repair, for proper drainage, curbs and drive approaches damaged by street trees. Resolution approving specifications and call for bids needed. Estimated cost $40,700 (Contract $37,000; Engr. $3,700. Funds are budgeted)

ACTION: Res. 77-322 adopted approving specifications and call for bids. (P/W to handle)

CONSENT

15. Consider approval of plans and specifications and call for bids for construction of waterlines in Park Place No. 2, Park Place No. 3, and Janet Drive.
(Suggested bid opening April 12, 1977 at 11:10 A.M.

Costs and Revenues:	Park Place No. 2	Park Place #3	Janet Drive
Construction	$25,100	$17,217	$4,630
Connection Charges	14,300	14,300	
Revenues	1,131	1,131	

(The Janet Drive Waterline will serve Sheldon School which is being constructed. Resolution approving plans and specifications and call for bids needed. Estimated cost, $46,947. ($37,979 contract; $8,968 Engr. & Materials). Funds are budgeted)

ACTION: Res. 77-323 adopted approving plans, specifications and bid call. (P/W to handle)

HEARINGS

16. Hearing on amendment to Section 13-3-8 of the zoning map to rezone from R-1 to P-D to permit single-family attached housing development on the west side of Prescott, north of Mt. Vernon Drive. (Danita Corp.) — 7:30 P.M.

ACTION: By motion (Elliott/Mensinger, unan.) Ord. No. 1604-C.S. introduced rezoning area. (Clerk to handle)
(Elliott/Mensinger, unan.)
Res. 77-324 adopted/approving development plan (P-D(158). (Planning to handle)

Res. 77-325 adopted (Elliott/Mensinger, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

17. Hearing on appeal of Mid-Valley Engineering to the Planning Commission's denial of request to rezone Randy Park on Evergreen west of Dillon Drive from R-1 and R-2 to P-D. (Modesto Development Co.) — 7:35 P.M.

ACTION: By motion (Dunlap/Siefkin, maj. - Kullijian, no) Ord. No. 1605-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-326 adopted (Dunlap/Siefkin, maj. - Kullijian, no) approving development plan (P-D(160). (Planning to handle)

Res. 77-327 adopted (Dunlap/Siefkin, maj. - Kullijian, no) directing Director of Planning & Community Development to file Notice re Environemental Review. (Planning to handle)

18. Hearing, appeal of Theodore M. Cook to the decision of Board of Zoning Adjustment regarding a parking variance for 1024 - 10th Street. (propertyleased by Bill Barr). — 7:40 P.M.

ACTION: By motion (Mensinger/Siefkin, unan.) hearing continued to April 11, 1977, at 7:40 P.M. so the staff can work with the appellants to try and solve the parking problem in a mutually satisfactory manner. (Planning to handle)

(Council adjourned at 10:25 P.M. for a five minute recess)

19. Hearing on appeal of Modesto Racing Pigeon Club to Planning Commission decision regarding number of racing pigeons which can be kept in residential areas. — 7:45 P.M.

ACTION: By motion (Kullijian/Lang, unan.) Ord. No. 1606-C.S. introduced amending Sec. 10-2.502 and adding Sec. 10-2.255.1 of the Mod. Mun. Code relating to the zoning regulations. (Clerk to handle)

Res. 77-328 adopted (Kullijian/Lang, unan.) granting appeal of Modesto Racing Pigeon Club to allow the keeping of more than 12 racing homer pigeons in the residential zones of the City of Modesto. (Planning to handle)

20. Matters for the good of the community. (These may be presented by interested persons in the audience) — 7:50 P.M.

NONE

ORDINANCES

21. Final adoption of Ordinance 1603-C.S. amending Section maps 11-3-8 and 12-3-8 of the City of Modesto. (C.J. Rumble & Sons, Inc.) (Motion with roll call vote needed)

ACTION: By motion (Lang/Elliott, maj. - Mensinger and Siefkin, no) Ord. No. 1603-C.S. adopted. (Clerk to handle)

CONSENT

22. Consider changing the two-hour parking meters to one-hour meters on the County Administration Building parking lot.
(Memo with agenda. The County requested that the two-hour meters on the lot be changed to one-hour meters to provide more parking turnover. (Ordinance amending Section 3-2.1504 of the Municipal Code needed. Estimated cost $200. Funds are budgeted)

ACTION: Ord. No. 1607-C.S. introduced amending Section 3-2.1504 of the Municipal Code. (Clerk to handle)

NEW BUSINESS

CONSENT

23. Request of Fred Mastagni to adjust lot line between properties located on the south side of East Granger, east of McHenry Avenue, to allow conveyance of a swimming pool area from Mastagni to an adjacent apartment owner.
(Memo with agenda. Resolution approving lot line adjustment needed)

ACTION: Res. 77-329 adopted approving lot line adjustment. (Planning to handle)

CONSENT

24. Consider agreement with George O. Dickerhoof, Dorothy K. Dickerhoof, Roy B. Casey and Eleanor J. Casey for the purchase of a portion of their property at 1729 Scenic Drive. Property is needed for Scenic/Rose Intersection project.
(The Dickerhoof's and Casey's have agreed to sell a portion of their property to the City for $2,025 which is the appraised value of the property. Curb and gutters will be installed as part of the street project to aid drainage. This is one of four parcels to be purchased by the City and County for this project. This is the second parcel acquired, leaving two remaining properties needed for the project. Resolution accepting property and authorizing the City Manager to execute the agreement needed. Estimated cost $2,025.00; $400.00 Est. Escrow; $2,425.00, total)

ACTION: Res. 77-330 adopted approving agreement. (P/W to handle)

CONSENT

25. Consider approving agreement with State and appropriation transfer for traffic signals at Yosemite and Empire.
(Memo with agenda. The agreement calls for the City to pay up to $32,000. This is $12,000 more than budgeted as an alley is now to be signalized also. Resolution approving agreement and authorizing its execution; resolution approving transfer; and motion authorizing Mayor to send letter urging speedy construction. Estimated cost $32,000. Funds are partially budgeted)

ACTION: Res. 77-331 adopted approving agreement. (P/T to handle)

Res. 77-332 adopted approving appropriation transfer of $12,000 from Account 60-321 to Account 6145-560-321). (Finance to handle)
By motion, Mayor authorized to send letter urging speedy construction.

CONSENT

26. Consider request by Ecology Action Educational Institute for extension of their limited license to collect salvage waste for a period of 5 years.
(Ecology Action has been providing salvage service to residents of Modesto for the past four years, picking up glass, metal cans, and newsprint primarily. The staff is recommending approval of the request to extend the license. Memo with agenda. Resolution setting public hearing for 7:35 P.M., Monday, April 11, 1977 to consider Ecology Action request)

ACTION: Res. 77-333 adopted setting hearing. (Clerk to handle)

CONSENT

27. Agreement between Modesto City Schools and the City of Modesto for the construction and use of the Mark Twain Multipurpose Facility. Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 77-334 adopted approving agreement. (P & R to handle)

CONSENT

28. Approval of agreement with Gordon M. Hart, P.E., Consulting Engineer, to prepare an Environmental Impact Report, and approval of appropriation transfer to cover the cost.
(On March 28, 1977, the City Council approved the Environmental Guidelines which would allow the City to employ consultants to prepare necessary EIR's to comply with California Environmental Quality Act guidelines. Irwin Steinpress has deposited $1,000 and executed a Deposit Agreement to pay all costs of a required EIR. Copy of agreement with agenda. Resolution approving the proposed agreement and resolution approving appropriation transfer needed. Estimated cost $1,000)

ACTION: Res. 77-335 adopted approving agreement. (Planning to handle)

Res. 77-336 adopted approving appropriation transfer of $1,000 from Account 60-800-101 to Account 235-180-101). (Finance to handle)

CONSENT

29. Consider approval of final map of Grand Prix 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.
(Subdivider, Grand Prix Group. The subdivision agreement has been signed and all fees paid. Grand Prix Estates Subdivision is located on the west side of Coffee Road north of Sylvan Avenue. It contains 23.195 acres. Resolution approving final map needed)

ACTION: Res. 77-337 adopted approving final map of Grand Prix Estates subdivision. (Clerk to handle)

CONSENT

30. Consider approval of the final map of the Westridge 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.
(Subdivider Paul M. Zagaris and Liberty Zagaris.) The subdivision agreement has been signed and all fees paid. Westridge No. 1 Subdivision is located on the north side of Woodland Avenue east of Rosemore Ave. It contains 17.880 acres. Resolution approving final map needed)

ACTION: Res. 77-338 adopted approving final map of Westridge No. 1 subdivision. (Clerk to handle)

REPORTS

CONSENT

31. Consider P. G. & E. application to increase natural gas charges to offset increased cost.
(Memo with agenda. El Paso Natural Gas is authorized by the Federal Power Commission to increase its charges to P. G. & E. on June 1, 1977. P. G. & E. is asking authority to increase its charges to exactly offset the El Paso charges. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

32. Recommend amendment to Section 8-3-9 of the zoning map - Bomberger Bros.
(On March 1, 1977, the Planning Commission adopted Resolution No. 77-43 recommending to the City Council an amendment to Section 8-3-9 of the zoning map to rezone from R-1 to R-2, property located on the north side of Standiford Ave. and on the east side of Tully. Resolution setting public hearing April 18, 1977 at 4:05 P.M. needed)

ACTION: Res. 77-339 adopted setting hearing. (Clerk to handle)

CONSENT

33. Recommend amendment to Section 17-3-9 of the zoning map - Rule Development.
(On March 15, 1977, the Planning Commission adopted Res. 77-54 recommending to the Council an amendment to Section 17-3-9 of the zoning map to rezone from R-1 to R-2, property located at the westerly terminus of Gayle Ave., south of Briggsmore Ave. Resolution setting public hearing April 25, 1977 at 7:35 P.M. needed)

ACTION: Res. 77-340 adopted setting hearing. (Clerk to handle)

CONSENT

34. Recommend amendment to Section 18-3-9 of the zoning map - Erickson.
(On March 15, 1977, the Planning Commission adopted Resolution 77-56 recommending to the Council an amendment to Section 18-3-9 of the zoning map to rezone from C-1 to P-D to permit construction and operation of a recreational complex on property located on the south side of Briggsmore, east of Prescott Road. Resolution setting public hearing April 25, 1977 at 7:40 P.M. needed)

ACTION: Res. 77-341 adopted setting hearing. (Clerk to handle)

CONSENT

35. Recommend amendments to the Land Use and Circulation Elements of the Modesto Area General Plan, and approval of the final environmental impact report thereon.
(On March 15, 1977, the Planning Commission adopted Resolution 77-53 recommending to the City Council certain amendments to the Land Use and Circulation Elements of the Modesto Urban Area General Plan, and approved the final environmental impact report thereon, and also adopted Res. 77-52 which adopted the Neighborhood Zoning and Development Plan for the Orchard Neighborhood. Resolution setting public hearing on April 25, 1977 at 7:45 P.M. needed)

ACTION: Res. 77-342 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFER

CONSENT

36. Consider approval of an approriation transfer of $252,000 to the Waterline Extensions and New Services Accounts. ($228,000 Waterline Extensions; $24,000 New Services.)
(Memo with agenda. Resolution approving appropriation transfer needed)

ACTION: Res. 77-343 adopted approving appropriation transfer of $252,000 from Account 60-800-101 to Accounts 6804-500-101 ($228,000) and 6301-500-101 ($24,000). (Finance to handle)

MISCELLANEOUS

37. Legislation.

NONE

38. Election of Vice Mayor.

ACTION: Res. 77-344 adopted (Siefkin/Dunlap, unan.) Councilmember Mensinger elected Vice Mayor for a period of one year. (Clerk to handle)

39. Appointments.

ACTION: Res. 77-345 adopted (Kullijian/Lang, maj. - Siefkin, no) approving Council Committees. (Clerk to handle)

40. Matters too late for the agenda.

NONE

Adjourned at 11:30 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 4, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang Mensinger, Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation by Reverend Louis Dykstra, Christian Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 4, 6, 7, 8, 9, 10, 11, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 30, 32, 33
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 regular meeting of March 28, 1977. (Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Mrs. Vera Pack regarding Senior Citizens Full Service Center.

No action taken.

3. Letter from Scott R. Hadley regarding bus passes for senior citizens.

No action taken.

CONSENT
4. Letters from Modesto Band of Stanislaus County requesting funds for the 1977 Band Concerts and the 1977 California Exposition. (Motion referring to proper budget session needed)

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

5. Letter from Alita Roberts on behalf of Girl Scout Troop 554 regarding the Modesto Bus System.

Suggestions were made by Ann O'Brien, Julie Michaelis, and Ruth Harris, Girl Scout Troop 554.

BIDS

CONSENT
6. 1) Consider declaring Delta Sound the lowest responsible bidder and authorize the purchase of one Council Chamber sound system for the total price of $5,350.00. 2) Consider authorizing the transfer of $1,100.00 from the General Fund Reserve to the Sound Amplification Equipment Account.
(Memo with agenda. Resolution authorizing purchase and resolution approving appropriation transfer needed.) Funds are partially budgeted.)

CONSENT

6. 1) Consider declaring Delta Sound the lowest responsible bidder and authorize the purchase of one Council Chamber sound system for the total price of $5,350.00. 2) Consider authorizing the transfer of $1,100.00 from the General Fund Reserve to the Sound Amplification Equipment Account, continued.

ACTION: Res. 77-346 adopted authorizing purchase.

Res. 77-347 adopted approving appropriation transfer of $1,100 from Account 60-800-101 to Account 5501-140-101. (Finance to handle)

CONSENT

7. Consider award of contract for construction of waterlines in Scott Estates.
(Bids were opened March 29, 1977. The low bid of $62,895.00 submitted by Joe Martin, is 7% above the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract to Joe Martin needed. Funds are budgeted)

ACTION: Res. 77-348 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

8. Consider awarding contract for modifying the 9th Street at Coldwell Avenue/Woodland Avenue traffic signals.
(Memo with agenda. The low bid was $7,880 from Industrial Electrical Company. The project is budgeted at $15,000. It is to be shared on a 75% City, 25% County basis, the ratio of intersecting legs under each jurisdiction. Resolution awarding contract to Industrial Electrical Company needed. Estimated Cost: $11,000 including engineering, inspection & contingencies. Funds are budgeted.)

ACTION: Res. 77-349 adopted awarding contract to Industrial Electrical Company. (P & T to handle)

CONSENT

9. Consider approval of specifications and authorizing call for bids to be opened April 26, 1977 at 2:00 P.M. for one mid size, four door station wagon.
(Vehicle will be used in conjunction with the Water Conservation Program and will not serve as a replacement for any like pool equipment; funds for the wagon are available through the Antirecessionary Fiscal Assistance Program. Resolution authorizing call for bids needed. Estimated Cost: $5,000.00. Funds are budgeted)

ACTION: Res. 77-350 adopted approving specifications and bid call. (Finance to handle)

10. Approve plans and specifications and call for bids for construction of public improvements in Housing Target Area, Stage 2.
(Bid opening: April 19, 1977 at 11:00 A.M. This project includes the installation of alley pavement, curbs, gutters and sidewalks, driveway and alley approaches, in the area bounded by Washington Avenue, Franklin Street, the alley north of Walnut Street and the alley south of Oak Street. Resolution approving plans, specifications and bid call needed. Estimated Cost: $80,820.00 (Contract $70,278, Engr. $10,542.) Funds are budgeted). Additional funds will be requested after bids have been opened, if needed.)

ACTION: Res. 77-351 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

11. Consider acceptance of Joe Martin's contract to construct waterlines in Almond Tree, Hollywood Park #1, Hyde Park #2, and Lincoln Manor #3. (Original Contract: $64,912.00. 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. Resolution accepting work as complete needed. Final Cost: Contract $63,762.80 (Main: $59,802.80; Services $3,960.00. Funds are budgeted)

ACTION: Res. 77-352 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

12. Hearing, annexation of Prescott No. 5 Addition to Modesto Municipal Sewer District No. 1. 4:00 P.M.

ACTION: Res. 77-353 adopted (Dunlap/Elliott, unan.) annexing No. 5 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

13. Hearing, annexation of East Orangeburg No. 7 Addition to Modesto Municipal Sewer District No. 1. 4:05 P.M.

ACTION: Res. 77-354 adopted (Lang/Dunlap, unan.) annexing East Orangeburg No. 7 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

14. Hearing on the cost of installation of sidewalk, curb and/or gutter at the following locations: 4:10 P.M.

(a) Curb at 1313 Tuolumne Blvd., Lot 22 and 23 of Block 341. (Alice Archuleta and Edward M. Archuleta - $285.00)

ACTION: Res. 77-355 adopted (Dunlap/Lang, unan.) confirming and assessing costs and directing method of collection. (Finance to handle)

(b) Curb and sidewalk at 106 Lane St., Lots 25 and 26 of Block 210. (Eddie L. Brubaker - $462.40) (Staff recommends payment over a period of 9 years)

ACTION: Res. 77-356 adopted (Dunlap/Lang, unan.) confirming and assessing costs and directing method of collection over a period of 9 years. (Finance to handle)

(c) Curb and sidewalk along Lane Street at 219 James St., Lot 1 and 2 of Block 210. (David A. Cerutti - $1,163.80) Staff recommends payment over a period of 10 years)

ACTION: Res. 77-357 adopted (Dunlap/Lang, unan.) confirming and assessing costs and directing method of collection over a period of 10 years. (Finance to handle)

(d) Curb and sidewalk at 110 Lane St., Lot 27 and 28 of Block 210. (Robert W. Cole - $462.40) (Staff recommends payment over a period of 9 years)

ACTION: Res. 77-358 adopted (Dunlap/Lang, unan.) confirming and assessing costs and directing method of collection over a period of 9 years. (Finance to handle)

(e) Sidewalk along College Ave. at 1047 Harvard Ave., Lot 8 and the South 30 feet of Lot 9, Block 812. (Lillian Cunningham and Mary H. Cunningham - $415.20)(Fin. to handle)

ACTION: Res. 77-359 adopted (Dunlap/Lang, unan.) confirming and assessing costs and directing method of collection. (Finance to handle)

14. Hearing on the cost of installation of sidewalk, etc., continued. 4:10 P.M.

(f) Curb and sidewalk along Lane St. at 303 James St., a portion of Block 208.
(David A. Cerutti - $892.40)
(Staff recommends payment over a period of 10 years)

ACTION: Res. 77-360 adopted (Dunlap/Lang, unan.) confirming and assessing costs and directing method of collection over a period of 10 years. (Finance to handle)

(g) Sidewalk along Yosemite Blvd. at 841 Yosemite Blvd., a portion of Block 259.
(Orval D. Fowler - $806.00)

ACTION: Res. 77-361 adopted (Dunlap/Lang, unan.)confirming and assessing costs and directing method of collection. (Finance to handle)

(h) Sidewalk at 1611 Sunrise Ave., Lot 7 of Block 1242.
(Shirley A. Geiger - $208.00)

ACTION: Res. 77-362 adopted (Dunlap/Lang, unan.) confirming and assessing costs and directing method of collection. (Finance to handle)

(i) Curb at 506 Twelfth St., Lots 19 and 20 of Block 97.
(J. C. Herndon - $375.60)
(Staff recommends payment over a period of 7 years)

ACTION: Res. 77-363 adopted (Dunlap/Lang, unan.) confirming and assessing costs and directing method of collection over a period of 7 years. (Finance to handle)

(j) Curb and sidewalk at 119 and 121 Lane St., a portion of Block 208.
(Charles L. Ingram - $610.35)
(Staff recommends payment over a period of 10 years)

ACTION: Res. 77-364 adopted (Dunlap/Lang, unan.) confirming and assessing costs and directing method of collection over a period of 10 years. (Finance to handle)

(k) Curb and sidewalk along Lane St. at 102 Lane St., Lots 23 and 24 of Block 210.
(Juventino Nevarez - $440.00)
(Staff recommends payment over a period of 8 years)

ACTION: Res. 77-365 adopted (Dunlap/Lang, unan.) confirming and assessing costs and directing method of collection over a period of 8 years) (Finance to handle)

(l) Curb along "F" Street at 1216 F. St., a portion of Block 97.
(Donald E. O'Neal - $710.00) - Paid.

Dropped from agenda.

(m) Curb and sidewalk at 123 Lane St., a portion of Block 208.
(Bruce A. Pearce - $73.20)
(Staff recommends payment over a period of 9 years)

ACTION: Res. 77-366 adopted (Dunlap/Lang, unan.) confirming and assessing costs and directing method of collection over a period of 9 years. (Finance to handle)

(n) Sidewalk repair at 813 Eighth St., a portion of Block 43.
(Joy Tamaras - $66.00) - Paid.

Dropped from agenda.

14. Hearing on the cost of installation of sidewalk, etc., continued. 4:10 P.M.

(o) Curb and sidewalk at 112 Lane St., Lots 29 and 30 of Block 210.
(Joseph Sauer - $440.00)

ACTION: Res. 77-367 adopted (Dunlap/Lang, unan.) confirming and assessing costs and directing method of collection. (Finance to handle)

(p) Curb and sidewalk along W. Morris Ave. at 445 Hackberry Ave., Lots 47 and 48 of Block 519.
(Wallie W. Smith - $1,410.00)
(Staff recommends payment over a period of 10 years)

ACTION: Res. 77-368 adopted (Dunlap/Lang, unan.) confirming and assessing costs and directing method of collection over a period of 10 years) (Finance to handle)

(q) Curb along Lane St. at 222 James St., Lot 1 of Block 209.
(Robert M. Sorensen - $957.00)
(Staff recommends payment over a period of 10 years)

ACTION: Res. 77-369 adopted (Dunlap/Lang, unan.) confirming and assessing costs and directing method of collection over a period of 10 years) (Finance to handle)

15. Hearing, approval of Third Year Community Development Application to HUD Block Grant. 4:15 P.M.

ACTION: Res. 77-370/(Elliott/Dunlap, unan.) adopted approving application.

By motion (Dunlap/Siefkin, unan.) that a report be made by the Citizens Housing and Community Development Committee on the status of the program. (Planning to handle)

16. Hearing on appeal by Empire Union School District to Planning Commission's decision concerning Goldcoast Estates tentative subdivision map. 4:20 P.M.

ACTION: Res. 77-371 adopted (Kullijian/Lang, maj. - Mensinger and Siefkin, no) denying appeal. (Planning to handle)

17. Matters for the good of the community. 4:25 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT
18. Final adoption of the following:
(Motions adopting needed)

(a) Ord. No. 1604-C.S. amending Section Map 13-3-8 - Danita Corp.

ACTION: By motion, Ord. 1604-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1607-C.S. relating to parking meters.

ACTION: By motion, Ord. 1607-C.S. adopted. (Clerk to handle)

CONSENT
19. Consider Amendments to the Modesto Municipal Code: (a) An Ordinance amending Sections of Chapter 8 of Title IX and adding Sections thereto relating to the Dangerous Building Code; and (b) An Ordinance amending Sections of Chapter 9 of Title IX and adding Sections thereto relating to the Housing Code.
(Memo with agenda. Introduction of two ordinances needed)

CONSENT
19. Consider Amendments to the Modesto Municipal Code, continued.

ACTION: By motion, Ord. 1608-C.S. introduced amending Sections of Chapter 8 of Title IX and adding Sections thereto relating to the Dangerous Building Code. (Clerk to handle)

By motion, Ord. 1609-C.S. introduced amending Sections of Chapter 9 of Title IX and adding Sections thereto relating to the Housing Code. (Clerk to handle)

NEW BUSINESS

20. Presentation of Alternative Futures Study.
(The report will be handed out and orally reviewed. Motion referring the report to the Public Projects Committee for recommendation to the City Council needed)

ACTION: By motion (Elliott/Siefkin, unan.) held over one week. (Clerk to handle)

CONSENT
21. Resolution withdrawing McHenry-Sylvan No. 2 Addition from McHenry-Dry Creek Fire District.
(This Addition was annexed to the City effective March 18, 1977. Resolution withdrawing area from Fire District needed. Estimated Cost: $25.00. Funds are budgeted)

ACTION: Res. 77-372 adopted withdrawing McHenry-Sylvan No. 2 Addition from Dry Creek Fire District. (Clerk to handle)

CONSENT
22. Resolution determining that the public interest and convenience require that McHenry-Sylvan No. 2 Addition be annexed to Modesto Municipal Sewer District No. 1.
(This Addition was annexed to the City effective March 18, 1977. Resolution setting May 23, 1977 at 7:30 P.M. for public hearing needed. (5 affirmative votes required) Estimated Cost: $25.00. Funds are budgeted)

ACTION: Res. 77-373 adopted setting hearing. (Clerk to handle)

CONSENT
23. Consider approval of the final map of the Hillsboro Park 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: Irwin Steinpress and A. Polly Steinpress, husband and wife)
(The subdivision agreement has been signed and all fees paid. Hillsboro Park No. 1 subdivision is located at the North end of Rexford Drive. It contains 12.403 acres. Resolution approving final map needed)

ACTION: Res. 77-374 adopted approving final map. (Clerk to handle)

CONSENT
24. Citizens Housing & Community Development Committee's recommendation to amend the contract with Crocker National Bank to extend maximum loan term from 10 to 15 years.
(Memo with agenda. Resolution authorizing contract amendment needed)

ACTION: Res. 77-375 adopted approving amendment to agreement. (Planning to handle)

CONSENT

25. Citizens Housing & Community Development Committee's recommendation to amend existing contract with Self-Help Enterprises to provide additional manpower at a cost of $15,000.
(Memo with agenda. Resolution approving contract amendment needed) Funds are budgeted)

ACTION: Res. 77-376 adopted approving amendment to agreement. (Planning to handle)

CONSENT

26. Consider abandonment of a parcel of land dedicated for road purposes January, 1954, for construction of California Avenue.
(Memo with agenda. Resolution vacating and abandoning parcel of land dedicated by Modesto City Schools for road purposes needed)

ACTION: Res. 1349-S.P. adopted vacating and abandoning parcel of land. (P/W to handle)

CONSENT

27. Consider abandonment of a 10-foot wide Irrigation Easement in Blocks 2822 and 2855 of the Scott Estates Subdivision.
(Memo with agenda. Resolution vacating and abandoning 10' Irrigation Easement in Blocks 2822 and 2855 of Scott Estates subdivision needed)

ACTION: Res. 1350-S.P. adopted vacating and abandoning 10' Irrigation Easement. (P/W to handle)

CONSENT

28. Consider request for sewer service to property outside City limits at 1001 Carver Road, located on the West side of Carver Road, north of 9th Street. Owners: Richard T. Norquist and Patricia Kay Norquist. (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. 77-377 adopted approving agreement. (Clerk to handle)

29. Request by Dunlap's Department Store for refund of overpayment of business license taxes.
(Memo with agenda. Resolution authorizing refund needed.)

(Councilmember Dunlap was excused from consideration of this item due to conflict of interest)

ACTION: Res. 77-378 adopted (Elliott/Lang, unan.; Dunlap, absent) authorizing refund. (Finance to handle)

CONSENT

30. Establishment of the Worker's Compensation Insurance Fund.
(Memo with agenda. Resolution establishing the Worker's Compensation Insurance Fund needed)

ACTION: Res. 77-379 adopted establishing Worker's Compensation Insurance Fund. (Finance to handle)

REPORTS

31. Report on Request by Mr. Francis R. Ruggieri on behalf of William L. Caruso for City sewer extension to property outside the City Limits.
(Memo with agenda. Motion denying request needed)

ACTION: By motion (Elliott/Siefkin, unan.) this item held over to the April 18, 1977, meeting. (Clerk to handle)

CONSENT

32. Notice of parking loss at City Hall during construction.
(Memo with agenda. Approximately 62 parking spaces will be closed to facilitate construction of the City Hall. Initially the lower level of the City Hall parking deck will not be open to the general public. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

33. Recommend to City Council that Montclair Drive be completed as a collector street between Tully and Carver.
(On March 15, 1977, the Planning Commission adopted Resolution No. 77-51 recommending to the City Council that Montclair Drive be completed as a collector street between Tully Road and Carver Road. Residents of Montclair have requested that the hearing be held on May 9, 1977. Resolution setting public hearing on May 9, 1977 at 7:30 P.M. needed.

ACTION: Res. 77-380 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

34. Legislation.

NONE

35. Appointments.

NONE

36. Matters too late for the agenda.

Adjourned at 7:00 P.M. to Howard's Restaurant for a joint City Council-M.I.D. Board of Directors meeting.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Regular Meeting
April 4, 1977

The Council of the City of Modesto met pursuant to adjournment at 7:15 P.M. at Howard's Restaurant, 1312 McHenry Avenue, Modesto, California, with the Board of Directors and staff of the Modesto Irrigation District and representatives of Del Este Water Company.

Present: Councilmembers Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies
Absent: Councilmember Kullijian

Presentations were made by representatives of the City of Modesto, Modesto Irrigation District, and Del Este Water Company on the status of the water and power in the community and what might be done to conserve these resources. A general discussion of the drought and related problems was held.

The meeting was adjourned at 9:40 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 11, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Siefkin, Vice Mayor Mensinger
(Vice Mayor Mensinger presided.)
Absent: Mayor Davies

Pledge of allegiance to the flag

Invocation by Reverend Harold Knowles, Central Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 10(c), 10(d), 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 28, 30
Item 11 removed from consent
Dunlap/Siefkin, unan. - Mayor Davies, 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 regular meeting of April 4, 1977, and adjourned regular meeting of April 4, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Letter from Wendy Turner regarding unkept downtown property.
(Motion referring to D.I.D. Advisory Board for recommendation needed)

ACTION: By motion, letter referred to D.I.D. Advisory Board. (Planning to handle)

CONSENT
3. Request by heirs of Leandro Padilla Bargas for permission to file a late claim for damages for wrongful death.
(Resolution rejecting late claim needed)

ACTION: Res. 77-381 adopted rejecting claim. (Clerk to handle)

BIDS

CONSENT
4. Consider approval of plans and specifications for remodeling of Construction Administration office.
(This is a project to remodel the City's Old Fire Station No. 4 at Coldwell and Virginia and use it for the Construction Engineering Division of Public Works. Suggested bid opening date: April 26, 1977 at 11:00 A.M. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $36,000 (Contract $33,000; Engr. & Cont. $3,000). Transfer will be requested from the General Fund after bid opening when the exact costs are known.)

ACTION: Res. 77-382 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for construction of waterlines in Wyldewood Grove No. 2. (Suggested bid opening: April 26, 1977 at 11:10 A.M. Cost and Revenue: Construction $19,415; Connection Charges $13,420; Net Revenue $1,043. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $19,415 ($15,300 Contract, $4,115 Engr. & Matls.) Funds are budgeted.)

ACTION: Res. 77-383 adopted approving plans, specifications and bid call. (P/W to handle)

HEARINGS

6. Hearing to amend P-D(109), Vintage Faire, to include a permitted use, a family amusement center. (Vintage Faire Shopping Center) 7:30 P.M.

ACTION: A motion (Kullijian/Elliott) to continue the hearing to April 25 failed to carry.

By motion (Dunlap/Lang, maj. - Elliott & Kullijian, no - Mayor Davies, absent) Ord. No. 1610-C.S. introduced amending Sec. 2 of Ord. No. 1259-C.S. relating to P-D(109) Vintage Faire. (Clerk to handle)

Res. 77-384 adopted (Dunlap/Lang, maj. - Elliott & Kullijian, no - Mayor Davies, absent) amending Res. 77-384 relating to P-D(109) Vintage Faire Regional Shopping Center. (Planning to handle)

7. Hearing on request by Ecology Action Educational Institute for extension of their limited license to collect salvage waste for a period of 5 years. 7:35 P.M.

ACTION: By motion (Siefkin/Elliott, unan. - Mayor Davies, absent) Ord. No. 1611-C.S. introduced granting Ecology Action Educational Institute, Inc. a limited license for the collection of salvageable waste in the City of Modesto. (Clerk to handle)

8. Continued hearing on appeal by Theodore M. Cook to decision of Board of Zoning Adjustment regarding a parking variance for 1024 - 10th Street. (Property leased by Bill Barr) 7:40 P.M.

ACTION: Res. 77-385 (Siefkin/Lang, unan. - Mayor Davies, absent) adopted denying appeal. (Planning to handle)

By motion (Siefkin/Lang, unan. - Mayor Davies, absent) Staff directed to present a Code amendment in accordance with Item 4 in the Parking & Traffic Director's memo. (City Attorney & Planning to handle)

9. Matters for the good of the community. 7:45 P.M.
(These may be presented by interested people in the audience.)

NONE

ORDINANCES

10. Final adoption of the following:
(Motions adopting needed)

(a) Ord. No. 1605-C.S. amending Section Map 18-3-9. (Modesto Development Co. - Evergreen Avenue)

ACTION: By motion (Dunlap/Elliott, unan. - Mayor Davies absent) Ord. No. 1605-C.S. adopted. (Clerk to handle)

10. Final adoption of ordinances, continued.

(b) Ord. No. 1606-C.S. amending zoning regulations. (Racing Homer Pigeons)

ACTION: By motion (Lang/Siefkin, maj. - Dunlap, no - Mayor Davies, absent) Ord. 1606-C.S. adopted and recommendation made to Board of Zoning Adjustment that a provision be included in any use permits granted that they will be reviewed at some period of time. (Clerk to handle)

CONSENT

(c) Ord. No. 1608-C.S. amending Dangerous Building Code. (Providing for appeals to Council)

ACTION: By motion, Ord. 1608-C.S. adopted. (Clerk to handle)

CONSENT

(d) Ord. No. 1609-C.S. amending Housing Code. (Providing for appeals to Council)

ACTION: By motion, Ord. 1609-C.S. adopted. (Clerk to handle)

11. Consider request from McHenry Village Shopping Center to terminate Declaration of Easement.
(Memo of explanation with agenda. Resolution terminating declaration of easement needed)

(Councilmember Dunlap was excused from consideration of this item due to a conflict of interest.)

ACTION: Res. 76-386 adopted (Kullijian/Elliott, unan. - Dunlap & Mayor Davies, absent) terminating declaration of easement. (Clerk to handle)

CONSENT

12. Consider acceptance of improvements in Hyde Park No. 1 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods.
(Developer: C. A. Tallent) Hyde Park No. 1 subdivision is located on the north side 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. Resolution accepting improvements needed.)

ACTION: Res. 77-387 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

13. Consider acceptance of improvements in Carver Glen No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods.
(Developer: Bomberger Bros., Inc.) Carver Glen No. 2 subdivision is located north of Standiford Avenue, east of Carver Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 77-388 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

14. Consider acceptance of improvements in Northampton No. 3 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods.
(Developer: James B. Johnston) Northampton No. 3 subdivision is located on the north side 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. Resolution accepting improvements needed.)

ACTION: Res. 77-389 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

15. Consider submittal of a project application to the Federal Aviation Administration for 6 projects at the Modesto City-County Airport/Harry Sham Field.
(The FAA has notified the City of a tentative allocation for projects at the airport. The next step is the submittal of a project application to the FAA. Memo with agenda. Resolution authorizing submittal of project application needed.

ACTION: Res. 77-390 adopted authorizing submittal of project application. (Public Works to handle)

CONSENT

16. Consider agreement with Gayle W. Stowers and Irene A. Stowers for the purchase of 0.152± Acres of their property and a two bedroom residence for the Scenic/Rose Intersection project.
(Memo with agenda. Resolution accepting property and authorizing the City Manager to execute the agreement needed. Estimated Cost: $17,600, $600 est. escrow; Total $18,200. Funds are budgeted.)

ACTION: Res. 77-391 adopted approving agreement. (Public Works to handle)

17. Consider wage increase for bus drivers.
(Memo with agenda. A one-time raise of 50¢ per hour retroactive to January 1, 1977, is recommended. Journeyman drivers are presently paid $3.90 per hour. Funds are available. Resolution authorizing increasing bus driver wages by 50¢ per hour needed. Estimated Cost: $9,000)

ACTION: Res. 77-392 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) approving recommendation retroactive to January 1, 1977. (P & T and Finance to handle)

CONSENT

18. Consider approval of purchase order for materials testing on City Hall Expansion Project.
(Memo with agenda. Resolution approving purchase order to Western States Testing, and resolution approving appropriation transfer needed. Estimated Cost: $13,000; funds are budgeted.)

ACTION: Res. 77-393 adopted approving purchase order to Western States Testing. (Public Works to handle)

Res. 77-394 adopted approving transfer of $13,000 from Account 60-321 to Account 8908-410-321. (Finance to handle)

CONSENT

19. Consider approval of agreement for inspection of City Hall Expansion Project.
(Memo with agenda. Resolution approving agreement and authorizing City Manager to sign, and resolution approving appropriation transfer needed. Estimated Cost: $22,200)

CONSENT
19. Consider approval of agreement for inspection of City Hall Expansion Project, continued.

ACTION: Res. 77-395 adopted approving agreement. (Public Works to handle)

Res. 77-396 adopted approving transfer of $22,200 from Account 60-321 to Account 8908-410-321. (Finance to handle)

CONSENT
20. Consider resolution limiting flow in proposed Dryden trunk sewer. (The City is located within a critical air area and as a result the Air Resources Board is requiring a limitation on flows through the Dryden trunk sewer until such time as an Air Quality Maintenance Plan is approved by the State. Memo with agenda. Final EIR has been completed but will be distributed to Council when plans/specifications are submitted to Council for approval. Resolution limiting flow in proposed Dryden trunk sewer needed.)

ACTION: Res. 77-397 adopted limiting flow in proposed Dryden trunk sewer. (Public Works to handle)

CONSENT
21. Consider acceptance of improvements in Sylvan Meadows East No. 3 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Stonewood Development) Sylvan Meadows East No. 3 is located north of Sylvan Avenue, east of Coffee Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 77-398 adopted accepting improvements as complete. (Clerk to handle)

CONSENT
22. Consider approval of the final map of the Lakewood 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. (Subdivider: J. C. Bearden and Dorothy Bearden) The subdivision agreement has been signed and all fees paid. Lakewood Park subdivsion is located at the Northeast corner of Lakewood Avenue and E. Orangeburg Avenue. It contains 5.2946 acres. Resolution approving final map needed.)

ACTION: Res. 77-399 adopted approving final map. (Clerk to handle)

CONSENT
23. Consider approval of County's recommendations concerning revision of fees at Geer Road Landfill.
(County staff has reviewed Geer Road Landfill operation, projecting operating revenues and costs through 1980. Their conclusion is that fees for pickup trucks and 2-wheel trailers need to be increased from .50¢ to $1.00, and costs for disposal of tires from .10¢ to .20¢ each. Increase in revenues from these two adjustments should keep Landfill operating revenues and expenditures in balance through 1980. Staff recommends approval of this fee adjustment. Motion approving Geer Road Landfill fee adjustments needed.)

ACTION: By motion, fees approved. (Public Works to handle)

CONSENT

24. Consider approval of agreement with Jenks & Harrison for continuing engineering consulting service involving waste treatment plant expansion.
(Agreement provides for (1) preliminary engineering on Stage 1 project recommended in the recently-approved Project Report and (2) additional studies for land disposal of our effluent. Total cost of the engineering services is $33,700; 87-1/2% of that figure will be in the form of State and Federal grants. Approval of the agreement is recommended so that our wastewater treatment improvement program can be continued. Resolution authorizing execution of agreement needed.)

ACTION: Res. 77-400 adopted approving agreement. (Public Works to handle)

REPORTS

26. Presentation of Alternative Futures Study.
(Report distributed at April 4, 1977 Council meeting. Motion referring the report to the Public Projects Committee for recommendation to the City Council needed.)

ACTION: By motion (Kullijian/Lang, unan. - Mayor Davies, absent) report referred to Public Projects Committee. (Planning to handle)

27. Presentation of Recreation Systems, Inc. of final master plan for Beyer Park.
(Master Plan book with agenda. Oral report will be made at meeting. Motion approving Plan needed.)

ACTION: By motion (Elliott/Dunlap, unan. - Mayor Davies, absent) Plan approved. (P & R to handle)

CONSENT

28. Notice that Greyhound has filed for a rate increase.
(Memo with agenda. Greyhound has filed with P.U.C. for a 5.3% increase rather than the 5% increase they sought in February, 1977. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

29. Presentation of Modesto-Ceres Sphere of Influence Study.
(Memo with agenda. Motion approving recommendations set forth in memo needed.)

(Councilmember Kullijian was excused from consideration of this item due to conflict of interest.)

ACTION: By motion (Elliott/Lang, unan. - Kullijian and Mayor Davies, absent) recommendations approved. (Planning to handle)

CONSENT

30. Presentation of Financial Statement for March, 1977.
(Copies of the report will be presented at the meeting. Motion accepting report needed.)

ACTION: By motion, report accepted.

31. Consider location of Northeast McHenry Park Site.
(The staff has made a study of four alternatives for locating a neighborhood park in the Northeast McHenry Neighborhood. Report with agenda. Motion directing staff needed.)

ACTION: By motion (Kullijian/Lang, maj. - Siefkin, no - Mayor Davies, absent) Alternate 3 approved with Alternate 2 as second choice. (P & R to handle)

MISCELLANEOUS

32. Legislation

ACTION: By motion (Dunlap/Elliott, unan. - Mayor Davies, absent) AB 529 opposed.

By motion (Lang/Kullijian, unan. - Mayor Davies, absent) SB 508 opposed. (City Manager to handle)

33. Appointments.

NONE

34. Matters too late for the agenda.

NONE

Adjourned at 11:05 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 18, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag
Invocation: Pastor Mark Randy, Church of Jesus Christ

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 4, 5, 6, 7, 8, 9, 10, 11, 12, 16(a), 16(b), 17, 18, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 32, 33, 34
Item 19 removed from consent
Dunlap/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 regular meeting of April 11, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Request by Francis R. Ruggieri for sewer service to Caruso Shopping Center.
(Letter and report with agenda)

(Councilmember Kullijian was excused from consideration of this item due to a conflict of interest.)

ACTION: By motion (Dunlap/Mensinger, unan.) staff requested to prepare the agreement for the City to provide sewer service.(P/W to handle)

3. Letter from Gary A. Morse, Head Rest, Inc., regarding Service Bureau.
(Letter with agenda)

This item carried over to the April 25, 1977, meeting at the request of Gary Morse.

CONSENT
4. Letter from Bessie Bresciani resigning from the Housing and Community Development Committee and the Rehabilitation Loan Pool Subcommittee.
(Resolution accepting resignation with regret needed)

ACTION: Res. 77-401 adopted accepting resignation with regret. (Clerk to handle)

CONSENT
5. Memo from John Funnell, Chairman of the Farm-City Advisory Committee, regarding John Britton's resignation from the Farm-City Advisory Committee.
(Resolution accepting resignation with regret needed)

ACTION: Res. 77-402 adopted accepting resignation with regret. (Clerk to handle)

CONSENT
6. Letter from Donald N. Stahl, District Attorney, requesting a Council resolution designating April 25-29, 1977 as "California's Forgotten Victims Week."
(Resolution needed)

ACTION: Res. 77-403 adopted designating April 25, 29, 1977 as "California's Forgotten Victims Week." (Clerk to handle)

BIDS

CONSENT
7. Consider approval of plans and specifications and call for bids for construction of miscellaneous improvements to Brown Park and Chrysler Neighborhood Park.
(Suggested Bid Opening date: May 10, 1977 at 11:00 A.M. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $27,997 (Contract $23,330; Engr. & Contg. $4,667). Funds are budgeted.)

ACTION: Res. 77-404 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
8. Consider approval of plans and specifications and call for bids for construction of waterlines in Eastridge No. 5.
(Suggested Bid Opening date: May 3, 1977 at 11:00 A.M. Cost and Revenue: Construction $29,102; Connection Charges $7,040; Net Revenue $557. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $29,102 (Contract $25,902, Engineering & Matls. $3,200) Funds are budgeted.)

ACTION: Res. 77-405 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
9. Accept Briggsmore-Oakdale and Scenic-El Vista/Oakdale signal modification project and authorize City Clerk to file a Notice of Completion.
(Memo with agenda. Final contract price was $21,365, the original bid price. Resolution accepting project and authorizing filing of Notice of Completion needed. Funds are budgeted.)

ACTION: Res. 77-406 adopted accepting contract as complete. (Clerk to handle)

CONSENT
10. Consider acceptance of George Reed, Inc.'s contract for Improvement of Tully Road and Carver Road at Hetch Hetchy Right of Way.
(Original Contract: $12,212.75. 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. Resolution accepting work as complete needed. Final Cost: Contract $13,101.95. Funds are budgeted.)

ACTION: Res. 77-407 adopted accepting contract as complete. (Clerk to handle)

CONSENT

11. Consider award of contract for Construction of Waterlines in Park Place No. 2, Park Place No. 3, and Janet Drive.
(Bids were opened on April 12, 1977 at 11:10 A.M. The low bid of $36,615.30, submitted by Western Pipeline Co., is 4% below the Engineer's Estimate and is considered acceptable. It is then recommended that the contract be awarded to them. Resolution awarding contract to Western Pipeline Co., Inc. needed. Estimated Cost: $36,615.30. Funds are budgeted.)

ACTION: Res. 77-408 adopted awarding contract to Western Pipeline Co. (P/W to handle)

CONSENT

12. Consider award of contract for Project No. 7 - Replacement of Curbs and Drive Approaches at various locations.
(Bids were opened on April 12, 1977. The low bid of $38,836.00 submitted by George Bianchi Construction, Inc., which is 4.73% above the Engineer's Estimate is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding contract to George Bianchi Construction, Inc. needed. Estimated Cost: $38,836.00. Funds are budgeted.)

ACTION: Res. 77-409 adopted awarding contract to George Bianchi Construction, Inc. (P/W to handle)

HEARINGS

13. Continued hearing, Modesto-Ceres Ambulance Co., name change and addition of a limited ambulance or "ambucab." 4:00 P.M.

ACTION: Res. 77-410 adopted (Dunlap/Lang, unan.) transferring the permit to operate an ambulance service in the City of Modesto previously issued to Eleven-41, Inc., dba Modesto Ambulance Co., to 911 Emergency Services, Inc., dba Modesto-Ceres Ambulance Service. (Clerk to handle)

Res. 77-411 adopted (Dunlap/Lang, unan.) transferring the permit to operate a limited ambulance service in the City of Modesto, previously issued to Eleven-41, Inc., dba Modesto Ambulance Co., to 911 Emergency Services, Inc. dba Modesto-Ceres Ambulance Service. (Clerk to handle)

Res. 77-412 adopted (Dunlap/Lang, unan.) granting the application of 911 Emergency Services, Inc., dba Modesto-Ceres Ambulance Service for a permit to operate a second limited ambulance in the City of Modesto. (Clerk to handle)

14. Hearing on amendment to Section 8-3-9 of the zoning map to rezone from R-1 to R-2, property located on the north side of Standiford Ave. and on the east side of Tully. (Bomberger Bros.) 4:05 P.M.

ACTION: By motion, Ord. No. 1612-C.S. introduced (Dunlap/Lang, unan.) rezoning area. (Clerk to handle)

Res. 77-413 adopted (Dunlap/Lang, unan.) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

15. Matters for the good of the community. 4:10 P.M.
(These may be presented by interested persons in the audience)

ACTION: Richard Lewis, Steve Morger, and Dale Kurita, participants in Youth in Government Day on April 19, 1977, were introduced. Michael Dean, Deputy City Attorney, and Cherii Ebright, reporter from KFIV were introduced.

ORDINANCES

CONSENT
16. Final adoption of the following:
(Motions adopting needed)

(a) Ord. No. 1610-C.S. relating to P-D(109) (Vintage Faire).

ACTION: By motion, Ord. 1610-C.S. adopted.

(b) Ord. No. 1611-C.S. relating to limited license for Ecology Action Educational Institute.

ACTION: By motion, Ord. 1611-C.S. adopted. (Clerk to handle)

CONSENT
17. Recommend amendments and additions to Chapter 4 of Title 4 of the Modesto Municipal Code - Subdivision Regulations.
(On March 15, 1977, the Planning Commission adopted Res. No. 77-57 recommending to the Council amendments and additions to Chapter 4 of Title 4 of the Modesto Municipal Code pertaining to subdivision regulations. Introduction of Ordinance amending the subdivision regulations and adoption of resolution certifying review of environmental assessment needed.)

ACTION: By motion, Ord. No. 1613-C.S. introduced amending subdivision regulations. (Clerk to handle)

Res. 77-413A adopted directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

NEW BUSINESS

CONSENT
18. Consider declaring Duncan #50 parking meter parts surplus material and authorizing the Purchasing Officer to sell the material to Traffic Appliance Corporation for $25.00.
(Memo with agenda. Resolution declaring parts surplus property and authorizing sale needed)

ACTION: Res. 77-414 declaring parts surplus and authorizing sale. (Finance to handle)

19. Consider Personnel Rule change concerning salaries for employees upon voluntary demotions.
(Memo with agenda. Resolution amending Personnel Rule 3.4, to add subsection (8) needed.)

ACTION: Res. 77-415 adopted (Kullijian/Lang, majority - Mensinger, no) amending Personnel Rule 3.4 to add subsection (8). (Personnel to handle)

CONSENT

20. Consider request for sewer service to property outside City limits at 426 Spruce Avenue, located on the north side of Spruce Avenue, west of Franklin Street. Owners: Patsy J. Hildreth, Life Estate, Marie Montgomery, Kenneth Wayne Hildreth, Danny Smith, Vicki Capehart, Mathew Hildreth, and Steven Hildreth, Remaindermen.
(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. 77-416 adopted approving agreement. (Clerk to handle)

CONSENT

21. Consider agreement with MID to install storm drain pump at Dale Road/ Standiford Avenue intersection.
(Storm water on new alignment of Standiford Avenue will become an increasingly bothersome problem as area develops. The proposed agreement would allow City to construct storm drain pump on MID right of way, and pump storm water into MID Lateral No. 7. Resolution authorizing staff to execute agreement needed. Estimated Cost: $12,000. Funds will be requested in 1977-78 CIP.)

ACTION: Res. 77-417 adopted approving agreement. (P/W to handle)

CONSENT

22. Consider reduced rate for monthly bus passes for learning handicapped.
(Memo with agenda. Modesto City Schools requestes a charge of $6 per month for learning handicapped instead of the regular $7.50. This item was approved by the City-County Transportation Committee at their April 7, 1977, meeting. Resolution approving the sale of monthly bus passes at a reduced rate to learning handicapped needed.)

ACTION: Res. 77-418 adopted approving sale of monthly bus passes at a reduced rate to learning handicapped students. (P & T to handle)

CONSENT

23. Consider extension of bus route to Glenwood Mobile Home Park on Oakdale Road.
(Memo with agenda recommends this modification to Bus Route 11, Coffee-Oakdale. Motion approving the change in routing needed.)

ACTION: By motion, route change approved. (P & T to handle)

CONSENT

24. Consider delegating authority to the City Manager to utilize Caltrans in the capacity of review appraiser for the City of Modesto on Federally reimbursed projects where Federal right of way money is being used.
(Memo with agenda. Resolution delegating authority needed.)

ACTION: Res. 77-419 adopted delegating authority to City Manager. (P/W to handle)

CONSENT

25. Consider acceptance of improvements in Lincoln Manor No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods.

ACTION: Res. 77-420 adopted accepting improvements in Lincoln Manor No. 2 subdivision. (Clerk to handle)

CONSENT

26. Consider approval of grant application for funding of engineering services involving preparation of plans and specifications for Stage 1 improvements at wastewater treatment facilities.
(The City's consultant, Jenks & Harrison, has completed a Project Report which identifies improvements needed at wastewater treatment facility. It is now appropriate to make application for a Step 2 grant (preparation of plans and specifications) for that work which involves influent pumping plant, booster pumping plant, sludge thickener, primary digester, flooding aerators as major components. Total estimated construction cost of project, including engineering and contingencies, is $6.4 million. The application for funding at this time is limited to engineering for preparation of plans and specs for a total amount of $362,000, of which $109,000 would be local funds. Resolution authorizing City Manager to sign and submit application needed.)

ACTION: Res. 77-421 adopted authorizing City Manager to sign and submit application. (P/W to handle)

CONSENT

27. Consider an increase in storage hangar and T-hangar fees and establish a 5% penalty fee on delinquent accounts at the Modesto City-County Airport/Harry Sham Field.
(Aircraft storage and hangar fees have been reviewed by the staff and an approximate 7% increase is recommended. Memo with agenda. Resolution establishing a new fee schedule to be effective July 1, 1977 needed.)

ACTION: Res. 77-422 adopted establishing new fee schedule. (P/W to handle)

CONSENT

28. Consider agreement with Lillie Stevans for the purchase of her property for the clear zone project for the Modesto City-County Airport/Harry Sham Field.
(The staff has negotiated a settlement with Mrs. Lillie Stevans for $80,000 to purchase her property in conjunction with the clear zone at the Airport. Memo with agenda. Resolution authorizing the City Manager to execute an agreement with Mrs. Stevans needed. Estimated Cost: $80,000; $800 est. escrow; Total $80,800. $8,655.49 is budgeted. An inter-departmental appropriation transfer will be made for the balance.)

ACTION: Res. 77-423 adopted approving agreement. (P/W to handle)

CONSENT

29. Consider amendment to lease agreement with Dale C. Miner, Ellen Miner, Ben C. Turner and Joyce Turner. Lease agreement is for King's Bench Restaurant and Lounge.
(Memo with agenda. Resolution authorizing City Manager to execute amendment to lease agreement needed.)

ACTION: Res. 77-424 adopted approving amendment to lease agreement. (P/W to handle)

CONSENT

30. Consider approval of the final map of the Sherwood 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. (Subdivider: Glenn R. Sparks and Charlotte R. Sparks). The subdivision agreement has been signed and all fees paid. Sherwood Plaza subdivision is located on the East side of Sherwood Avenue North of Briggsmore Avenue. It contains 1.85 Acres. Resolution approving final map needed.)

CONSENT

30. Consider approval of the final map of the Sherwood Plaza subdivision of the City of Modesto, continued.

ACTION: Res. 77-425 adopted approving final map. (Clerk to handle)

REPORTS

31. Report by Cliff Humphrey, "Proposed Waterford (East Stanislaus) Nuclear Project."

ACTION: This item is to be carried over to the May 2, 1977, Council meeting, at James Higgs' request.

CONSENT

32. Notification of application to stop bus service to Yosemite Park. (Report with agenda. The Yosemite Park and Curry Company is seeking P.U.C. approval to abandon the May through October bus service from Modesto to Yosemite through Coulterville. It is recommended that it be left to the P.U.C. to decide. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

33. Planning Commission Recommendations - Capital Improvement Program 1977-78 through 1980-81; Revenue sharing projects proposed for fiscal year 1977-78.
(See attached letter of transmittal and computer listing and Planning Commission Resolution No. 77-32 dated February 15, 1977. Motion acknowledging receipt of Commission recommendation and referring to appropriate budget session needed.)

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

APPROPRIATION TRANSFER

CONSENT

34. Consider request for appropriation transfer of $18,248 from the General Reserve of the Special Fund for Capital Outlays to the Account for East La Loma Park, Stage 1.
(The appropriation is to supplement the $14,452 of revenue sharing which must be expended prior to June 30, 1977. The $14,452 will only permit excavation and grading. The $18,248 will complete the paving of the entry road into East La Loma Neighborhood Park from Edgebrook Drive. Resolution approving appropriation transfer needed.)

ACTION: Res. 77-426 adopted approving appropriation transfer from Account No. 60-800-321 to Account No. 8320-270-321. (Finance to handle)

MISCELLANEOUS

35. Legislation.

NONE

36. Appointments.

NONE

37. Matters too late for the agenda.

ACTION: Res. 77-427 adopted (Lang/Elliott, unan.) approving agreement between City and Beaty Building owners for office space for the Housing Program staff. (Manager to handle)

Res. 77-428 adopted (Elliott/Kullijian, unan.) accepting recommendations re State Park Bond funds.

Adjourned at 4:55 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 25, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: Councilmember Dunlap

Pledge of allegiance to the Flag
Invocation by Reverend Ben Jennings, Prescott Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 4, 6, 7, 9, 10, 16, 18, 19, 20, 21, 22, 23
Items 8, 24 and 17 dropped from agenda
Lang/Mensinger, unan. - Dunlap, 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 regular meeting of April 18, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Gary Morse, Executive Director of Head Rest, regarding the Youth Service Bureau.

ACTION: Oral and slide presentation made by Gary Morse.

3. Letter from Mrs. Nian Pittman regarding a business being conducted in a residential area.
(Motion referring to staff needed)

ACTION: By motion (Mensinger/Siefkin, unan. - Dunlap, absent) referred to the staff for as rapid action as possible. (C/Atty to handle)

CONSENT
4. Letter from Downtown Improvement District Advisory Board regarding free parking downtown on Saturday.
(Motion referring to staff needed)

ACTION: By motion, letter referred to staff. (P & T to handle)

5. Letter from Dr. John Lanfranki, President of the Board of Directors of the Easter Seal Society regarding a presentation by Athena Moran regarding transportation for the handicapped in wheelchairs.

ACTION: Athena Moran made an oral presentation regarding the need for bus transportation for handicapped in wheelchairs.

BIDS

CONSENT

6. Consider approval of specifications and authorize call for bids to be opened May 17, 1977, at 2:00 P.M. for furnishing annual municipal code printing.
(Annual call for bids - printing to be purchased intermittently throughout the year from the successful bidder. Resolution authorizing call for bids needed. Estimated Cost: $4,500; funds are budgeted)

ACTION: Res. 77-429 adopted approving specifications and bid call. (Finance to handle)

CONSENT

7. Approve plans and specifications and call for bids to modify traffic signals on Dale Road at the Vintage Faire shopping center and consider approving variance to allow a street entrance type driveway.
(Memo with agenda. The modification is to be paid for entirely by Sanders Construction Company, Inc. The signals will be modified to service a new driveway to be constructed by Sanders opposite the Vintage Faire driveway. A variance is needed to install a street entrance type driveway like the Vintage Faire driveways already in place. Resolution approving plans, specifications and call for bids to be received on May 24, 1977, at 2:00 P.M.; and resolution approving variance to allow a street entrance type driveway needed. Estimated Cost: $18,000. Funds are to be appropriated before award of contract based on the low bid.)

ACTION: Res. 77-430 adopted approving plans, specifications and bid call. (P & T to handle)

Res. 77-430A adopted approving variance to allow a street entrance type driveway. (P/W to handle)

CONSENT

8. Consider approval of specifications and authorize call for bids to be opened May 24, 1977, for furnishing annual requirements of ready-mixed concrete.
(Annual requirement; materials to be purchased intermittently throughout the 1977-78 fiscal year. Resolution authorizing call for bids needed. Estimated Cost: $7,000; funds are budgeted)

DROPPED FROM AGENDA

CONSENT

9. Consider award of contract for construction of Public Improvements Housing Target Area Stage 2.
(Bids were opened April 19, 1977. The low bid submitted by Lee A. Cain, Cement Contractor, is 0.80% above the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to him. Resolution awarding contract to Lee A. Cain, Cement Contractor, needed. Estimated Cost: $87,613.25 (Contract $70,968.25, Engr. $10,645.00, W.O. Charges City Forces $6,000). Funds are budgeted.)

ACTION: Res. 77-431 adopted awarding contract to Lee A. Cain. (P/W to handle)

CONSENT

10. Consider rejection of bids and approval of revised specifications, and authorize bids to be opened May 24, 1977, at 2:15 P.M. for furnishing one Air Reduction System.
(Memo with agenda. Resolution rejecting bids and authorizing call for new bids. Estimated Cost: $17,000; funds are budgeted)

ACTION: Res. 77-432 adopted rejecting all bids opened on March 22, 1977 at 2:00 P.M. in the office of the City Clerk, and approving revised specifications and new bid call. (Finance to handle)

HEARINGS

11. Hearing on amendment to Section 25-3-9 of the zoning map to rezone from R-1 to R-2, property located on the east side of Lincoln Avenue between Penny Lane and Yosemite Boulevard. (Robert P. Bomberger) 7:30 P.M.

ACTION: By motion, (Elliott/Kullijian, unan. - Dunlap, absent) Ord. No. 1614-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-433 adopted (Elliott/Kullijian, unan. - Dunlap, absent) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

12. Hearing on amendment to Section 17-3-9 of the zoning map to rezone from R-1 to R-2, property located at the westerly terminus of Gayle Ave., south of Briggsmore Ave. (Rule Development) 7:35 P.M.

ACTION: By motion (Lang/Siefkin, unan. - Dunlap, absent) Ord. No. 1615-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-434 adopted (Lang/Siefkin, unan. - Dunlap, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

13. Hearing on amendment to Section 18-3-9 of the zoning map to rezone from C-1 to P-D to permit construction and operation of a recreational complex on property located on the south side of Briggsmore, east of Prescott Road. (Erickson) 7:40 P.M.

ACTION: By motion (Mensinger/Elliott, unan. - Dunlap, absent) Ord. No. 1616-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-435 adopted (Mensinger/Elliott, unan. - Dunlap, absent) approving development plan (P-D(159). (Planning to handle)

Res. 77-436 adopted (Mensinger/Elliott, unan. - Dunlap, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

14. Hearing on amendments to the Land Use and Circulation Elements of the Modesto Area General Plan, and approval of the final environmental impact report thereon. 7:45 P.M.

ACTION: By motion (Elliott/Mensinger, maj. - Mayor Davies, no) this item continued for further consideration, to be returned to the Council July 1. (Planning to handle)

15. Matters for the good of the community. 7:50 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT
16. Final adoption of the following ordinances:
(Motion adopting needed)

(a) Ord. No. 1612-C.S. amending zoning Section Map 8-3-9 .
(Bomberger)

ACTION: By motion, Ord. No. 1612-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1613-C.S. amending Subdivision Regulations.

ACTION: By motion, Ord. No. 1613-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT
17. Consider abandoning project for proposed bicycle bridge crossing M.I.D. Lateral 4 at Roseburg Avenue.
(The Council considered the proposed project on November 15, 1976, and withheld approval pending consultant's report on Urban Trails. Preliminary report has been received. Memo with agenda. Motion directing staff to abandon the project needed)

DROPPED FROM AGENDA

NEW BUSINESS

CONSENT
18. Consider establishing Environmental Review Fees.
(Memo with agenda. Staff recommends $30 filing fee for environmental review, actual cost for EIR preparation preceded by $1,000 deposit. Funds to be used to pay for Assistant Planner position (part time environmental consultant). Resolution establishing Environmental Review Fees needed. Estimated Cost: $7,340/year or less)

ACTION: Res. 77-437 adopted establishing Environmental Review Fees.
(Planning to handle)

CONSENT
19. Consider declaring 44 computer disk cartridges surplus property and authorizing the Purchasing Officer to sell at $40.00 per cartridge to small computer users.
(Memo with agenda. Resolution authorizing sale of computer cartridges and declaring 44 computer disk cartridges surplus to the City needed)

ACTION: Res. 77-438 adopted declaring 44 computer disk cartridges surplus to the needs of the City and authorizing sale of same. (Finance to handle)

CONSENT

20. Consider lease agreement with Jack E. George, an individual, dba Creekside Private School. (This is former Goodwill School). (This is a new lease with one of the partners of Creekside Private School. The other person is no longer involved in the school. The existing lease does notterminate until August 14, 1977, however, Mr. George has asked that the City enter into a new lease now which will become effective August 15, 1977. The reason for this is so Mr. George can start his Fall enrollment now and make up his budget. All terms of the existing lease are the same except the rent goes up from $585/mo. to $675/mo. The new lease will expire August 14, 1980. Resolution authorizing the City Manager to execute the lease agreement needed)

ACTION: Res. 77-439 adopted approving lease agreement. (P/W to handle)

CONSENT

21. Proposed Code Text Amendment - In Lieu Parking Payments. (Amendment to add quarterly in lieu parking payments to the off-street parking standards of the Zoning Ordinance. Prepared at Council direction after Ted Cook variance hearing. Motion referring draft amendment to the Planning Commission for public hearing and recommendation back to the City Council needed)

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

CONSENT

22. Consider acceptance of improvements in Lincoln Manor No. 3 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Lincoln Manor No. 3 subdivision is located on the south side of East Orangeburg Avenue east of Lakewood 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. 77-440 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

23. Consider Resolution Revising Position Classifcation Plan & Resolution Amending Salary Schedule. (Recommend Classification of Financial Specialist be added to the Position Classification Plan. 2 Resolutions required. Estimated Cost: $935.73; funds are budgeted)

ACTION: Res. 77-441 adopted Revising Position Classifcation Plan. (Personnel to handle)

Res. 77-442 adopted amending salary schedule. (Personnel to handle)

CONSENT

24. Consider authorizing City Manager to sign letter agreement with the Modesto Bee to print and publish the official advertising for the City for a one year period ending June 30, 1978. (Memo with agenda. Resolution authorizing City Manager to sign agreement with the Modesto Bee needed. Estimated Cost: $11,000; funds are budgeted)

DROPPED FROM AGENDA

REPORTS

25. Report of Community Center Task Force.
(Memo with agenda. Motion acknowledging receipt of report and setting special meeting for further consideration needed)

ACTION: By motion (Elliott/Kullijian, unan. - Dunlap, absent) receipt of report acknowledged and May 10, 1977 at 3:00 P.M. set for consideration of the report. (Clerk to handle)

MISCELLANEOUS

26. Legislation.

ACTION: By motion (Siefkin/Mensinger, unan. - Dunlap, absent) AB 20 opposed. (C/Mgr to handle)

27. Appointments.

NONE

28. Matters too late for the agenda.

NONE

Adjourned at 11:55 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 2, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Elliott, Kullijian, Lang, Siefkin, Mayor Davies
Absent: Councilmembers Dunlap, Mensinger

Pledge of allegiance to the Flag.
Invocation by Reverend Rick Hopping, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 33, 34, 35, 36
Item 12 dropped from agenda
Item 19 added to consent
Lang/Siefkin, unan. - Dunlap and 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)

Judy Hall, Assistant City Clerk, was introduced.

MINUTES

CONSENT
1. Approval of minutes of regular meeting of April 25, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Appeal by Dennis Cummins to a decision of the Environmental Assessment Committee that an Environmental Impact Report is required on development of property at 212 Sylvan Avenue.
(Resolution setting hearing on May 9, 1977 at 7:35 P.M. needed)

ACTION: Res. 77-443 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT
3. Consider approval of specifications and authorize call for bids to be opened May 24, 1977, at 2:45 P.M. for furnishing annual requirements of liquid and emulsified asphalts.
(Annual requirement; materials to be purchased intermittently throughout the 1977-78 fiscal year, material used as cut-back asphalt binder and for the City seal coat program. Resolution authorizing call for bid needed. Estimated Cost: $32,000.00; funds are budgeted.)

ACTION: Res. 77-444 adopted approving specifications and call for bids.
(Finance to handle)

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened May 24, 1977 at 2:30 P.M. for furnishing annual requirements of ready-mixed concrete.
(Annual requirement; materials to be purchased intermittently throughout the 1977-78 fiscal year. Resolution authorizing call for bids needed. Estimated Cost: $7,000.00; funds are budgeted.)

ACTION: Res. 77-445 adopted approving specifications and bid call. (Finance to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for drilling, casing, testing and development of one deep well, Well No. 43.
(Suggested Bid Opening: May 17, 1977 at 11:00 A.M. This well will be located in Aqueduct Park on Carver Road north of Cheyenne Way and will provide additional water to the area. Resolution approving plans, specifications and bid call needed. Estimated Cost; $21,300 ($19,300 Contract; $2,000 Engr. & Contg). Funds are budgeted.)

ACTION: Res. 77-446 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for construction of miscellaneious projects at Modesto City-County Airport/ Harry Sham Field FAA-ADAP #8-06-0153-05.
(Suggested Bid Opening: May 24, 1977 at 3:00 P.M. Council approved the Project Application to Federal Aviation Agency for these projects on April 11, 1977. FAA has given approval to proceed with bids. The project includes security fencing, terminal apron reconstruction, medium intensity taxiway lighting, Taxiway "D" extension with medium intensity taxiway lights, and general aviation apron reconstruction. Resolution approving plans, specifications and bid call needed. Estimated Cost: $274,085 ($248,844 Contr., $25,241 Engr. & Contg.). Funds are partially budgeted. An appropriation transfer will be made from the General Reserve after bid opening and exact costs are known.)

ACTION: Res. 77-447 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for installation of irrigation system and landscaping at Revard Park.
(Suggested Bid Opening date: May 24, 1977 at 11:30 A.M. This construction has been budgeted to provide improvements consisting of landscaping and irrigation systems. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $41,520 (Const. $34,600, Engr. $1,730 Contg. $5,190). Funds are budgeted.)

ACTION: Res. 77-448 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for installation of irrigation system at Thousand Oaks Park.
(Suggested Bid Opening date: May 24, 1977, at 11:00 A.M. This construction has been budgeted to provide improvements consisting of an irrigation system at Thousand Oaks Park. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $22,501 (Const. $18,750, Engr. $938, Contg. $2,813). Funds are budgeted)

ACTION: Res. 77-449 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for installation of irrigation systems and landscaping at Briggsmore and Prescott.
(Suggested Bid Opening date: May 24, 1977 at 11:15 A.M. This construction has been budgeted to provide improvements consisting of landscaping and irrigation systems at Briggsmore landscaping/Prescott and Briggsmore. Resolution approving plans, specifications and call for bids needed. Estimated Cost: $38,646 (Const. $32,205, Engr. $1,610, Contg. $4,831). Funds are budgeted).

ACTION: Res. 77-450 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

10. Consider award of contract to Remodel Construction Administration Office.
(Bids were opened on April 26, 1977. The low bid was submitted by Matteson Construction Co. and it is 8% above the Engineer's Estimate. A review of all the bids indicates that the bid is acceptable. Therefore, it is recommended by the Public Works Department that the bid be awarded to them. Memo with agenda regarding appropriation transfer. Resolution awarding contract and Resolution approving appropriation transfer to cover the cost. Estimated Cost: $38,000 (Contract: $35,643.00, Engr. & Matls. $2,357).

ACTION: Res. 77-451 adopted awarding contract to Matteson Construction Co. (P/W to handle)

Res. 77-452 adopted approving appropriation transfer of $38,000 from Account 60-321 to Account 6100-410-321. (Finance to handle)

CONSENT

11. Consider award of contract for construction of waterlines in Wyldewood Grove No. 2.
(Bids were opened April 26, 1977. The low bid of $14,663.60, submitted by Western Pipeline Co., Inc. is 4% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Western Pipeline Co., Inc. needed. Estimated Cost: $14,663.60; funds are budgeted).

ACTION: Res. 77-453 adopted awarding contract to Western Pipeline Co., Inc. (P/W to handle)

CONSENT

12. Consider acceptance of George F. Schuler, Inc.'s contract to construct sprinkler system in Fire Station No. 1 Basement. Original Contract: $5,925.00.
(All work on this project has been completed to the satisfaction of the Public Works Department and the Fire 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: Contract $5,925.00. Funds are budgeted)

DROPPED FROM AGENDA

HEARINGS

13. Hearing, Conflict of Interest Codes, All City Agencies. 4:00 P.M.

ACTION: By motion (Siefkin/Elliott, unan. - Dunlap and Mensinger, absent) hearing continued to May 9, 1977, at 7:40 P.M. (Clerk to handle)

14. Matters for the good of the community. 4:05 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT
15. Final adoption of the following:
(Motions adopting needed)

(a) Ord. No. 1614-C.S. - amending Zoning Map, Sec. 25-3-9 (Bomberger)

ACTION: By motion, Ord. No. 1614-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1615-C.S. - amending Zoning Map, Sec. 17-3-9 (Rule).

ACTION: By motion, Ord. No. 1615-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1616-C.S. - amending Zoning Map, Sec. 18-3-9 (Erickson)

ACTION: By motion, Ord. No. 1616-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT
16. Consider adopting resolution commending the Modesto Police Reserves for contributions to community welfare and safety.
(Adoption of Resolution needed).

ACTION: Res. 77-454 adopted commending the Modesto Police Reserves. (Police to handle)

CONSENT
17. Consider authorizing City Manager to sign letter agreement with the Modesto Bee to print and publish the official advertising for the City for a one year period ending June 30, 1978.
(Memo with agenda. Resolution authorizing City Mamanger to sign agreement with the Modesto Bee needed. Estimated Cost: $11,000. Funds are budgeted).

ACTION: Res. 77-455 adopted authorizing City Manager to sign letter agreement. (Finance to handle)

CONSENT
18. Consider recommendation to use Antirecessionary Funds to advance supplemental budget requests.
(Memo with agenda. Motion approving recommendation needed).

ACTION: By motion, recommendation approved. (C/Mgr to handle)

CONSENT
19. Letter from Muir Trail Girl Scout Council requesting use of Kewin/Moose/Thousand Oaks and T. B. Scott Parks for a day camp.
(Request from Girl Scout Council to use Kewin/Moose/Thousand Oaks and T. B. Scott Parks for a day camp, June 20-24, 1977, at 8:30 A.M. - 3:00 P.M. Staff recommends approval and staff will work out details. Motion granting request needed).

ACTION: By motion, request granted. (P & R to handle)

CONSENT

20. Consider request for sewer service to property outside City limits at 1222 Garden Avenue, located on the South side of Garden Avenue between Sutter Avenue and Colorado Avenue. Owners: Lloyd Vermillion and Betty Vermillion.
(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. 77-456 adopted approving agreement. (Clerk to handle)

CONSENT

21. Consider acceptance of improvements in Havenbrook Park No. 3 Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Wolverine Building Service)
(Havenbrook Park No. 3 Subdivision is located on the north side of East Orangeburg Avenue east of Sonoma 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. 77-457 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

22. Consider acceptance of improvements in Havenbrook Park No. 4 Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Wolverine Building Service)
(Havenbrook Park No. 4 is located north of East Orangeburg Avenue, west of Lakewood 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. 77-458 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

23. Consider approval of common use agreement between the Modesto Irrigation District and the City of Modesto, for the Orangeburg Avenue and M.I.D. Lateral No. 4 bridge reconstruction.
(The project provides for the removal of the existing bridge at Orangeburg Avenue and Lateral No. 4 and to replace a triple barrel reinforced concrete box culvert with inlet and outlet transitions. This will facilitate future widening of Orangeburg Avenue to a four-lane street. Resolution approving agreement needed. Funds are budgeted if needed).

ACTION: Res. 77-459 adopted approving common use agreement. (P/W to handle)

24. Presentation of 1977-78 Preliminary Budget and setting of formal public hearing of the 1977-78 Operating Budget, the 1977-78 through 1980-81 Capital Improvement Program, and the Revenue Sharing Program. (Copies of the 1977-78 Preliminary Budget will be distributed at the Council meeting. The Council is to establish a schedule for review of the Operating Budget and the Capital Improvement Program. (Last year the Council met on Tuesdays and Thursdays from 4 - 5:30 P.M. until the review was completed.) Resolution setting public hearing for June 13 at 8:00 P.M. and motion establishing procedure for review of the budget and Capital Improvement Program needed).

24. Presentation of 1977-78 Preliminary Budget and setting of formal public hearing, continued.

ACTION: By motion (Elliott/Kullijian, unan. - Dunlap and Mesninger, absent) budget sessions were set on Tuesdays and Thursdays from 4:00 to 5:30 P.M. (Clerk to handle)

By motion (Kullijian/Elliott, unan. - Dunlap and Mensinger, absent) the sessions are to begin on Thursday, May 12, 1977, from 4:00 to 5:30 P.M. followed by a joint Council-Planning Commission meeting. (Clerk to handle)

CONSENT

25. Consider approval of annual claim for Local Transportation Funds for transit and for streets and roads.
(Each year the City makes a claim to SAAG for its apportionment of Local Transportation Funds. This is a claim for $891,658 for fiscal year 1977-78. Resolution approving submittal of Annual Transportation Claim needed).

ACTION: Res. 77-460 adopted approving submittal of Annual Transportation Claim. (Finance to handle)

CONSENT

26. Request by Olan Mills Studio for refund of overpayment of business license taxes.
(Memo with agenda. Resolution authorizing refund needed)

ACTION: Res. 77-461 adopted authorizing refund of $1,544.98 for overpayment of business license tax. (Finance to handle)

CONSENT

27. Consider approval of agreement with Recreation Systems, Inc. for preparation of plans and specifications for the construction of Beyer Community Park.
(On April 11, 1977, the City Council approved the Beyer Park Master Plan. The staff felt that the professional who produced the Master Plan is best qualified to translate the Master Plan into construction drawing. It is desirable that the artistic achievements be translated without losing the theme depicted in the Master Plan. The agreement has been made, and it would now be in order to approve the agreement. Resolution approving agreement needed. Estimated Cost: $40,400; funds are budgeted).

ACTION: Res. 77-462 adopted approving agreement. (P & R to handle)

CONSENT

28. Consider approval of agreements with Roy E. Fredricksen and Associates, and Mid Valley Engineering, Inc., for consulting civil engineering services to the City for the design of waterline projects to subdivisions and miscellaneous developments.
(Memo with agenda. Two Resolutions approving agreements with Roy E. Fredricksen and Associates and Mid Valley Engineering, Inc. needed. Estimated Cost: $9,000. Funds are budgeted).

ACTION: Res. 77-463 adopted approving agreement with Roy E. Fredricksen & Associates. (P/W to handle)

Res. 77-464 adopted approving agreement with Mid-Valley Engineering, Inc. (P/W to handle)

CONSENT

29. Recommend adding the classification of Water and Energy Conservationist to the position classification plan.
(Memo with agenda. Resolution revising position classification plan and Resolution amending salary schedule needed. Estimated Cost: $1,165.10; funds are budgeted).

ACTION: Res. 77-465 adopted revising position classification plan. (Personnel to handle)

Res. 77-466 adopted amending salary schedule. (Personnel to handle)

CONSENT

30. Consider approval of the final map of the Bloomfield 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. (Subdivider: Bloomfield Joint Venture)
(The subdivision agreement has been signed and all fees paid. Bloomfield No. 2 subdivision is located north of Standiford Avenue east of Tidewater Southern Railroad. It contains 17.420 acres. Resolution approving final map needed).

ACTION: Res. 77-467 adopted approving final map. (Clerk to handle)

CONSENT

31. Consider lease agreement with Gomes Bros. for a lease covering approximately 124+ acres of the remote sewer ponds. All land being leased is outside any area which might be used for expansion of Ponds.
(Lease is for 5 years and will expire on 5-2-82. Gomes will pay $870 per year for grazing rights. Gomes will be allowed to install, move or remove any of their fences to control cattle. Resolution authorizing City Manager to execute lease agreement needed).

ACTION: Res. 77-468 adopted approving agreement. (P/W to handle)

REPORTS

32. Report by Cliff Humphrey regarding the "Proposed Waterford (East Stanislaus) Nuclear Project," Notice of Dis-intent.

ACTION: A report was made by Sandy Sample and Ron Alves.

CONSENT

33. Quarterly Report (January-March, 1977) from Greater Modesto Chamber of Commerce.
(Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

34. Recommend amendment to Sections 8-3-9 and 17-3-9 of the Zoning Map - James Price.
(On April 19, 1977, the Planning Commission adopted Resolution No. 77-75 recommending to the City Council an amendment to Sections 8-3-9 and 17-3-9 of the Zoning Map to rezone from R-1 to P-D, property located on the east side of Sherwood Avenue both north and south of Rumble Road. Resolution setting public hearing May 23, 1977 at 7:30 P.M. needed).

ACTION: Res. 77-469 adopted setting hearing. (Clerk to handle)

CONSENT

35. Recommend to City Council amendment to Section 32-3-9 of the Zoning Map - Dale Harter.
(On April 19, 1977, the Planning Commission adopted Resolution No. 77-77 recommending to the City Council an amendment to Section 32-3-9 of the Zoning Map to rezone from C-1 to C-2, property located at the northerly corner of Fourth and "H" Streets (Dale M. Harter). Resolution setting public hearing June 6, 1977 at 4:00 P.M. needed)

ACTION: Res. 77-470 adopted setting hearing. (Clerk to handle)

CONSENT

36. Recommend to City Council that 12th Street between "D" and "B" Street not be abandoned.
(On April 19, 1977, the Planning Commission adopted Resolution No. 77-80 recommending to the Council that the request of Stanislaus Canning Company to abandon a portion of 12th Street between "D" and "B" Streets be denied. Resolution setting public hearing June 6, 1977 at 4:05 P.M. needed)

ACTION: Res. 77-471 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

37. Legislation.

ACTION: By motion (Siefkin/Davies, unan. - Dunlap and Mensinger, absent) AB 734 supported. (C/Mgr to handle)

38. Appointments.

NONE

39. Matters too late for the agenda.

NONE

40. The Council retired to executive session at 4:40 P.M. to discuss employee relations with the announcement that they would not return to open meeting.

Adjourned at 4:40 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 9, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 13, 14, 15, 16, 17, 18, 19, 20, 21
Dunlap/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 regular meeting of May 2, 1977. (Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Church of the Nazarene regarding fire clearance for the Child Care Center.

ACTION: By motion (Kullijian/Mensinger, unan.) this item was referred to the Board of Zoning Adjustment to consider the possibility of the Church forming a joint venture with adjacent property owners with a time limit to be set by the Board of Zoning Adjustment. (Planning to handle)

2A. Letter from Mid-Valley Engineering, Inc., requesting that the hearing scheduled for May 23, 1977 at 7:30 P.M. regarding the request by James Price for a Planned Development at Sherwood and Rumble be continued until there is a full Council.

ACTION: By motion (Siefkin/Elliott, unan.) Council's intention was declared to continue the May 23 hearing to June 13, 1977 at 7:30 P.M. Council asked that the Clerk's office send notices to residents of the area of the intended continuance. (Clerk to handle)

BIDS

CONSENT
3. Consider approval of specifications and authorize call for bids to be opened May 31, 1977, at 2:00 P.M. for furnishing annual requirements of liquid chlorine.
(Annual requirement: chlorine gas is used in treating industrial and residential sewage. Requirements for the Cities of Turlock and Oakdale are included in the specification. Chlorine to be purchased intermittently throughout the 1977-78 fiscal year. Resolution authorizing call for bids needed. Estimated Cost: $145,205,08; funds are budgeted.)

ACTION: Res. 77-472 adopted approving specifications and bid call. (Finance to handle)

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened May 31, 1977 at 2:15 P.M. for furnishing liquid anhydrous ammonia.
(Seasonal requirement; material to be used in treating industrial and residential sewage. Product to be purchased intermittently throughout the 1977-78 fiscal year. Funds are budgeted. Resolution authorizing call for bids needed. Estimated Cost: $55,000.00; funds are budgeted.)

ACTION: Res. 77-473 adopted approving specifications and bid call. (Finance to handle)

CONSENT

5. Consider award of contract for construction of waterlines in Eastridge No. 5.
(Bids were opened May 3, 1977. The low bid of $24,643.40, submitted by Western Pipeline Co., is 5% below the engineer's estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution accepting bid and awarding contract to Western Pipeline Co., Inc. needed. Funds are budgeted.)

ACTION: Res. 77-474 adopted awarding contract to Western Pipeline Co. (P/W to handle)

CONSENT

6. Consider declaring Griswold-Wight the most responsible bidder meeting City specifications and authorize the purchase of one mid-size station wagon for the total price of $5,317.53.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 77-475 adopted awarding bid to Griswold-Wight. (Finance to handle)

CONSENT

7. Consider acceptance of Joe Martin's contract to construct waterlines in Flintridge Estates No. 3. Original contract: $21,819.75.
(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. Resolution accepting work as complete needed. Final Cost: Contract $21,423.05 (Main $19,663.95, Services $1,760.00). Funds are budgeted).

ACTION: Res. 77-476 adopted accepting contract as complete. (Clerk to handle)

CONSENT

8. Consider acceptance of George F. Schuler, Inc.'s contract to construct sprinkler system in Fire Station No. 1 Basement. Original contract: $5,925.00.
(All work on this project has been completed to the satisfaction of the Public Works Department and the Fire 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: Contract $5,925.00. Funds are budgeted).

ACTION: Res. 77-477 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

9. Hearing on the recommendation of the Planning Commission that Montclair Drive be completed as a collector street between Tully Road and Carver Road. 7:30 P.M.

ACTION: Res. 77-478 adopted (Elliott/Dunlap, maj. - Kullijian and Lang, no) that Montclair be opened to Carver after Standiford is widened and has signals at Tully and Carver, and that a traffic study be made of Montclair and controls be provided as deemed needed upon the opening of Montclair. (Planning and P/T to handle)

(Mayor Davies was excused at 9:40 P.M.)

10. Hearing on appeal by Dennis Cummins to a decision of the Environmental Assessment Committee regarding an Environmental Impact Report on development of property at 212 Sylvan Avenue. 7:35 P.M.

ACTION: Res. 77-479 adopted (Elliott/Kullijian, unan. - Mayor Davies, absent) that an E.I.R. not be required for this project. (Planning to handle)

11. Continued hearing regarding Conflict of Interest Codes for all City agencies. 7:40 P.M.

ACTION: Res. 77-480 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code/- Office of the City Manager. as presented

Res. 77-481 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Office of the City Attorney.

Res. 77-482 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Office of the City Clerk and Auditor.

Res. 77-483 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Finance Dept.

Res. 77-484 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Fire Dept.

Res. 77-485 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Parking and Traffic Dept.

Res. 77-486 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Parks & Recreation Dept.

Res. 77-487 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Department of Planning & Community Development.

Res. 77-488 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Police Dept.

Res. 77-489 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Public Works Dept.

11. Continued hearing regarding Conflict of Interest Codes for all City agencies, continued. 7:40 P.M.

ACTION: Res. 77-490 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Board of Zoning Adjustment.

Res. 77-491 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Planning Commission.

Res. 77-492 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Housing Advisory and Appeals Board, Board of Appeals of the Dangerous Building Code.

Res. 77-493 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Citizens Housing and Community Development Committee.

Res. 77-494 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Housing Maintenance and Counseling Subcommittee)

Res. 77-495 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Rehabilitation Loan Pool Subcommittee)

Res. 77-496 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - Environmental Assessment Committee.

Res. 77-497 adopted (Siefkin/Dunlap, unan. - Mayor Davies, absent) accepting Conflict of Interest Code as presented - License Tax Appeals Board.

Res. 77-498 adopted (Lang/Kullijian, maj. - Siefkin and Acting Mayor Mensinger, no - Mayor Davies, absent) that the Airport Advisory Committee not be required to have a Conflict of Interest Code. (C/Atty - Clerk to handle)

12. Matters for the good of the community. 7:45 P.M.
(These may be presented by interested persons in the audience)

NONE

NEW BUSINESS

CONSENT
13. Set hearing on costs of demolition of house, outbuildings and fences at 117 Sherman Ave., Modesto.
(Memo with agenda. Resolution setting hearing June 6, 1977 at 4:10 P.M. needed)

ACTION: Res. 77-499 adopted setting hearing. (Clerk to handle)

CONSENT
14. Consider lease agreement with Dennis Simms for lease of former Simms House, 645 N. McClure Road. Part of proposed Dry Creek Park.
(This is a new lease with same tenant. The term is from June 1, 1977 to April 30, 1978. Rent raised from $130/mo to $150/mo. Other changes are that tenant is to make minor repairs to roof and maintain driveways. Provision calling for liability insurance in old lease is dropped because this is a residential lease. Resolution authorizing City Manager to execute lease agreement needed).

ACTION: Res. 77-500 adopted approving agreement. (P/W to handle)

CONSENT
15. Dental Insurance Agreement amendment extending term to June 30, 1978. (Memo with agenda. Resolution amending the Dental Insurance Agreement needed)

ACTION: Res. 77-501 adopted approving agreement. (Personnel to handle)

CONSENT
16. Consider approval of the annual recreation agreement between County of Stanislaus and 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 $31,951.61 for expenditures by the City on community recreation for the fiscal year 1976-77. (This is an increase of $3,014.33 from last year's allocation). Resolution authorizing agreement needed).

ACTION: Res. 77-502 adopted approving agreement. (P & R to handle)

CONSENT
17. Resolution setting public hearing for June 13, 1977 at 8:00 P.M. regarding the 1977-78 Operating Budget, the 1977-78 through 1980-81 Capital Improvement Program, and the Revenue Sharing Program. (Resolution setting hearing needed)

ACTION: Res. 77-503 adopted setting hearing. (Clerk to handle)

CONSENT
18. Consider request for sewer service to property outside City limits at 1232 Crows Landing, located on the northwest corner of Crows Landing Road and Crater Avenue. Owners: William Caruso and John S. Caruso. (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 sewer main must be extended to serve property. No City funds are involved. On April 18, 1977, Council approved by motion to prepare an agreement to provide sewer service. Resolution approving agreement needed).

ACTION: Res. 77-504 adopted approving agreement. (P/W to handle)

CONSENT
19. Consider City-County Fixed Route Transit Agreement.
(Memo with agenda. The agreement has been approved by the City-County Transportation Committee and the County Board of Supervisors. The County will pay 15.8% of the cost of the fixed route system. The agreement is retroactive to July 1, 1976, and continues thereafter on a year-to-year basis. Resolution approving the agreement needed).

ACTION: Res. 77-505 adopted approving agreement. (P & T to handle)

CONSENT
20. Consider joining constitutional challenge to Federal Unemployment Compensation Act coverage of State and municipal government employees. (Memo with agenda. Resolution authorizing City of Modesto's participation in the litigation and authorizing the City Manager to sign agreement with National Institute of Municipal Law Officers and Resolution approving appropriation transfer. Estimated Cost: $5,000.)

ACTION: Res. 77-506 adopted authorizing participation in litigation and approving agreement with National Institute of Municipal Law Officers. (Clerk to handle)

Res. 77-507 adopted approving appropriation transfer of $5,000 from Account 60-800-101 to Account 471-640-101. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

21. Recommend to Council amendment to Section 18-3-9 of the Zoning Map. (Land Resources Development Corp.)
(On April 19, 1977, the Planning Commission adopted Res. 77-78 recommending to the City Council an amendment to Section 18-3-9 of the Zoning Map to rezone from P-0 to P-D to allow condominium office complex, property located at the northwest corner of Briggsmore Avenue and Tully Road. Resolution setting public hearing June 6, 1977 at 4:15 P.M. needed).

ACTION: Res. 77-508 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

22. Legislation.

NONE

23. Appointments.

NONE

24. Matters too late for the agenda.

NONE

Adjourned at 10:30 P.M. to Tuesday, May 10, 1977 at 3:00 P.M. in the City Hall Multipurpose Room to discuss the proposed Community Center.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Regular Meeting
May 10, 1977
3:00 P.M.

The Council of the City of Modesto met pursuant to adjournment at 3:00 P.M. in the Multipurpose Room, City Hall, 801 - 11th Street, Modesto, California, to discuss the Community Center.

Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
(Councilmember Siefkin arrived at 3:25 P.M.)

Absent: None

The report prepared by the Community Center Task Force, which was presented to the City Council on April 25, 1977, was reviewed.

The City Attorney discussed the laws on advisory elections and dates when these elections may be held.

Various district boundaries were discussed. A motion to use the present sewer service area as the boundary for a community center district failed to carry.

By motion (Dunlap/Elliott, maj. - Mensinger, no) it was decided that the City limits would be the area concerned with the community center, including all future annexations.

By motion (Dunlap/Lang, unan.) staff was directed to look into the possibility of using a part of the sales tax revenue to help reduce the amount of bonded debt necessary.

Staff was requested to report on possible operating costs and a possible election date.

The meeting adjourned at 5:10 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Special Meeting
May 12, 1977, 4:00 P.M.

The Council of the City of Modesto met in Special Meeting at 4:00 P.M. in the Council Chambers, City Hall, 801 - 11th Street, Modesto, California, to consider the preliminary budget for 1977-78.

Present: Councilmembers Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies
Absent: Councilmember Kullijian
(Councilmembers Mensinger and Siefkin arrived at 4:05 P.M.)

The City Manager talked briefly about the proposed budget.

The following budgets were considered:

PARKING AND TRAFFIC DEPARTMENT:

Parking and Traffic (pages 144-145)
Office Services (pages 146-147)
Parking Fund (pages 156-160)
Bus Service (pages 184-187)

Mr. Carmody mentioned the cost of living rate is now known to be 6½%, making it necessary to increase the amount being requested in the supplemental budget for a wage adjustment for the bus drivers by $1,973.

PUBLIC WORKS DEPARTMENT:

Engineering and Administration (pages 106-109)
Building Inspection (pages 110-113)
Electrical (pages 114-117)
Water (pages 118-122)
Streets (pages 124-127)
Sewers (pages 128-131)
Water Quality Control (pages 132-136)
Garden Refuse (pages 138-141)
City Hall (pages 142-143)
Airport (pages 176-180)
Service (pages 190-196)

Adjourned at 5:55 P.M. to Howard's Restaurant for a joint City Council-Planning Commission meeting.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Special Meeting
May 12, 1977, 6:15 P.M.

The Council of the City of Modesto met pursuant to adjournment at 6:15 P.M., Howard's Restaurant, 1312 McHenry Ave., Modesto, California, in a joint City Council-Planning Commission meeting.

Present: Councilmembers Dunlap, Elliott, Lang, Siefkin, Mayor Davies

Absent: Councilmembers Kullijian and Mensinger

The following topics were discussed:

Brighton Avenue Bridge.
Number of appeals of Planning Commission's decisions.
Commercial development in the Vintage-Faire area.
Planning Commission participation in Public Projects Committee's growth policy study.
A City department or person to study the future of Modesto and the major problems that might be expected.
Desirability of having joint Council-Planning Commission meetings twice a year.

Adjourned at 8:15 P.M. to Tuesday, May 17, 1977, at 3:00 P.M. to continue the budget study.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 16, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None

Pledge of allegiance to the Flag.
Invocation by Reverend Darrell Anderson, La Loma Grace Brethren Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 7, 9, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25
Item 8 dropped from agenda
Dunlap/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 regular meeting of May 9, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Request from Safeway Store at Briggsmore and McHenry for a left turn lane from Briggsmore into the Briggsmore Shopping Center.
(Motion referring to staff for report needed)

ACTION: By motion, request referred to staff for report. (P & T to handle)

3. Appeal by Carl E. Ulrich, Jr. to Board of Zoning Adjustment decision regarding off-street parking.
(Resolution setting hearing on June 13, 1977, at 7:35 P.M. needed)

ACTION: Res. 77-509 adopted (Kullijian/Dunlap, unan. - Mensinger, absent) setting hearing. (Clerk to handle)

(Councilmember Mensinger was excused from consideration of this item due to a conflict of interest)

CONSENT
4. Resignation by Jim Madison from Culture Commission.
(Resolution accepting resignation with regret needed)

ACTION: Res. 77-510 adopted accepting resignation with regret. (Clerk to handle)

BIDS

CONSENT
5. Consider approval of specifications and authorize call for bids to be opened June 7, 1977 at 2:00 P.M. for furnishing annual requirements of rock, sand, and gravel.
(Annual requirement: Materials to be used by the Street Division for repairs; Parks Department for sand traps; and other City projects. Purchases to be made intermittently throughout the 1977-78 fiscal year. Resolution authorizing call for bids needed. Estimated Cost: $20,000.00; funds are budgeted.)

ACTION: Res. 77-511 adopted approving specifications and bid call. (Finance to handle)

CONSENT
6. Consider approval of specifications and authorize call for bids to be opened June 7, 1977, at 2:30 P.M. for furnishing annual requirements for traffic line paint.
(Annual requirements: Paint used by Parking & Traffic for the purpose of marking traffic lanes, crossings, and curb surfaces. Paint to be purchased intermittently throughout the 1977-78 fiscal year. Resolution authorizing call for bids needed. Estimated Cost: $28,000.00; funds are budgeted.)

ACTION: Res. 77-512 adopted approving specifications and bid call. (Finance to handle)

CONSENT
7. Consider approval of plans and specifications and call for bids for construction of Pump Station No. 16 Relocation.
(Suggested Bid Opening date: May 31, 1977 at 11:00 A.M. This project was budgeted in the C.I.P. to replace existing Pump Station No. 16. The new station will be approximately 150 feet east of existing Pump Station No. 16 on Briggsmore at College Avenue. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $76,000 ($71,000 Contract, $5,000 Engr. & Contg.) Partial funds are budgeted. Additional funds will be transferred from 6848-500-101 after bids are opened and exact costs are known.)

ACTION: Res. 77-513 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
8. Consider approving specifications and authorizing call for bids to be opened June 14, 1977, at 2:15 P.M. for furnishing two light utility pickup trucks.
(Equipment requested for Risk Manager and Assistant Public Service Inspector positions and are funded by ARFA. Equipment will not serve as a replacement for any like item currently on hand. Resolution authorizing call for bids needed. Estimated Cost: $8,350.00; funds are budgeted.)

DROPPED FROM AGENDA

CONSENT
9. Consider acceptance of Joe Martin's contract for construction of waterlines in Blue Gum Avenue west of Carpenter and College West No. 1. Original Contract: $57,802.83.
(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: Contract $57,662.87 (Main: $55,462.87; Services: $2,200). Funds are budgeted.)

ACTION: Res. 77-514 adopted accepting contract as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of Collins Electrical's contract for construction of street light modernization Phase VII, Stage 2. Original Contract: $77,711.00.
(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. Resolution accepting work as complete needed. Final Cost: Contract $81,906.80. Funds are budgeted.)

ACTION: Res. 77-515 adopted accepting contract as complete. (Clerk to handle)

CONSENT

11. Consider award of contract for the construction of miscellaneous improvements to Coleman F. Brown Park and Chrysler Neighborhood Park. (Bids were opened on May 10, 1977. The low bid was submitted by William M. Mineni. This bid was approximately 60% above the Engineer's Estimate. Scrutinizing the Engineer's Estimate, it was determined that the "Engineer's Estimate" did not accout for enough labor and inflation of the miscellaneous park items. The purpose of the Engineer's Estimate is to establish a reasonable cost for the work. The fact that four of the five bids were within $1,700 demonstrates satisfactory competitive bids. It is therefore recommended that the contract be awarded to William M. Mineni. Estimated Cost: $38,300. Funds are budgeted)

ACTION: Res. 77-516 adopted awarding contract to William M. Mineni. (P/W to handle)

HEARINGS

12. Matters for the good of the community. 4:05 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

13. Amendment of the Municipal Code incorporating a fee schedule for licensing of Arts and Crafts Shows and similar events.
(Memo with agenda. Two ordinances amending Code needed. Adoption of emergency ordinance amending the Code and introduction of a regular ordinance amending the Code.

(a) Emergency measure.

-C.S.

ACTION: By motion (Kullijian/Lang, unan.) Ord. No. 1617/adopted amending Municipal Code relating to business license. (Clerk to handle)

(b) Regular measure.

ACTION: By motion (Kullijian/Lang, unan.) Ord. No. 1618-C.S. introduced amending Municipal Code relating to business license. (Clerk to handle)

NEW BUSINESS

CONSENT

14. Resolution withdrawing Capitol Drive Addition from Empire Fire District. (This additon was annexed to the City effective March 28, 1977. Resolution withdrawing area from Fire District needed. Estimated Cost: $25.00; funds are budgeted.)

ACTION: Res. 77-517 adopted withdrawing Capitol Drive Addition from Empire Fire District. (Clerk to handle)

CONSENT

15. Resolution determining that the public interest and convenience require that Capitol Drive Addition be annexed to Modesto Municipal Sewer District No. 1.
(This addition was annexed to the City effective March 28, 1977. Resolution setting July 5, 1977 at 4:00 P.M. for public hearing needed. (Five affirmative votes required) Estimated Cost: $25.00; funds are budgeted.)

ACTION: Res. 77-518 adopted setting hearing. (Clerk to handle)

CONSENT

16. Resolution withdrawing North Rexford Addition from Riverbank Fire District.
(This addition was annexed to the City effective April 26, 1977. Resolution withdrawing area from Fire District needed. Estimated Cost: $25.00; funds are budgeted.)

ACTION: Res. 77-519 adopted withdrawing North Rexford Addition from Riverbank Fire District. (Clerk to handle)

CONSENT

17. Resolution determining that the public interest and convenience require that North Rexford Addition be annexed to the Modesto Municipal Sewer District No. 1.
(This addition was annexed to the City effective April 26, 1977. Resolution setting July 5, 1977 at 4:05 P.M. for public hearing needed. (Five affirmative votes required) Estimated Cost: $25.00; funds are budgeted.)

ACTION: Res. 77-520 adopted setting hearing. (Clerk to handle)

CONSENT

18. Consider approval of the final map of the Tierra 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. (Subdivider: Tierra Development Company)
(The subdivision agreement has been signed and all fees paid. Tierra Plaza subdivision is located on the south side of Standiford Avenue east of Tully Road. It contains 7.704 acres. Resolution approving final map needed.)

ACTION: Res. 77-521 adopted approving final map. (Clerk to handle)

CONSENT

19. Consider approval of agreements with Abst, Grothe & Associates, A.I.A. for plans and specifications for the design and construction of Davis Park Community Service Center and Downey Park Community Service Center.
(The staff invited proposals from several qualified local architects for the design of Davis Park and Downey Park Community Service Centers. Based on the selection comittee's screening criteria, three architects were interviewed. It was decided that Abst. Grothe are best qualified at this time to do the work; therefore, it is recommended that the City enter into agreements with Abst, Grothe and Associates for these services. Two resolutions approving agreements with Abst. Grothe & Associates, A.I.A needed. Estimated Cost: $71,440; funds are budgeted.)

ACTION: Res. 77-522 adopted approving agreement for Davis Park Community Center. (P & R to handle)

Res. 77-523 adopted approving agreement for Downey Park Community Center. (P & R to handle)

CONSENT

20. Consider issuance of a purchase order for construction of waterlines in Chenault Estates.
(State law allows informal bids for projects below $5,000 but requires Council approval if the amount is over $3,500. Informal bids were opened May 10, 1977. The low bid of $3,849.00, submitted by Joe Martin is acceptable. It is therefore recommended that a purchase order be issued for him to do the work. Resolution authorizing issuance of a purchase order needed.) Estimated Cost: $4,349 ($3,849 Contract; $500 Materials & Engineering). Funds are budgeted.)

ACTION: Res. 77-524 adopted authorizing issuance of a purchase order. (Finance to handle)

CONSENT

21. Consider issuance of a purchase order to construct curb and gutter on McHenry Avenue.
(The City of Modesto has entered into a cooperative agreement with Stanislaus County and the State of California to improve McHenry Avenue between Warren Way and Meily Way. The cooperative agreement calls for the City of Modesto to construct approximately 525 feet of curb and gutter in this project. The final pay quantities will be measured in the field by the State's inspector after the work is completed. The estimated amount of the purchase order is $3,806.25. The State's contractor for this project is George Reed, Inc. Resolution authorizing issuance of a purchase order needed. Estimated Cost: $3,806.25; funds are budgeted.)

ACTION: Res. 77-525 adopted authorizing issuance of a purchase order. (Finance to handle)

CONSENT

22. Consider approving contract with State for UMTA grant.
(Memo with agenda. The contract is for a $40,001 grant. The funds are a reimbursement for part of the operating expenses incurred for bus service in FY 1975-76. Resolution approving the agreement needed.)

ACTION: Res. 77-526 adopted approving agreement. (P & T to handle)

CONSENT

23. Consider approval of the final map of the Hillsboro East 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. (Subdivider: Irwin Steinpress and A. Polly Steinpress)
(The subdivision agreement has been signed and all fees paid. Hillsboro East subdivision is located on the south side of East Orangeburg Avenue west of Claus Road. It contains 11.613 Acres. Resolution approving final map needed.)

ACTION: Res. 77-527 adopted approving final map. (Clerk to handle)

CONSENT

24. Resolution amending the 1976-77 Final Budget for the Airport Fund, Special Aviation Fund, and the Capitol Outlay Fund to estimate revenue and appropriate expenditures for Airport clear zone acquisition.
(The City has successfully negotiated for purchase of the Tillie Stevens property for $97,095 as part of the continuing Airport Clear Zone Project. Acquisition costs are grant funded. Resolution approving budget amendments estimating additional revenue and increasing appropriations needed.)

ACTION: Res. 77-528 adopted approving budget amendments estimating additional revenue and increasing appropriations. (Finance to handle)

REPORTS

CONSENT

25. Presentation of Financial Statement for April, 1977.
(Copies of report with agenda. Motion accepting report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

26. Legislation.

ACTION: By motion (Dunlap/Kullijian, unan.) SB 12 opposed present bill, but supported amendments proposed by League of California Cities.

By motion (Lang/Elliott, unan.) AB 108 opposed.

By motion (Elliott/Dunlap, unan.) AB 644 supported.

By motion (Dunlap/Mensinger, unan.) AB 873 opposed.

By motion (Siefkin/Dunlap, unan.) AB 1265 supported. (C/Mgr to handle)

27. Appointments.

ACTION: Res. 77-529 adopted (Mensinger/Lang, unan.) reappointing J. E. Brady and J. D. Grothe to the Board of Appeals, Dangerous Building Code and Housing Code for terms expiring January 1, 1981. (Clerk to handle)

Res. 77-530 adopted (Mensinger/Lang, unan.) reappointing Ronald V. Stone to the Culture Commission for a term expiring January 1, 1981. (Clerk to handle)

Res. 77-531 adopted (Mensinger/Lang, unan.) reappointing Beatrice Colton, Salvador Morales, and Cornelius Nabors to the Human Rights Commission for terms expiring May 1, 1981. (Clerk to handle)

Res. 77-532 adopted (Mensinger/Lang, unan.) appointing Jim Biever as Vice Chairman of the Human Rights Commission. (Clerk to handle)

Res. 77-533 adopted (Mensinger/Lang, una.) appointing Tom Morales to the Users Committee of the Citizens Housing and Community Development Committee and to Seat 6 of the Housing Maintenance and Counseling Subcommittee for a term expiring June 30, 1977. (Clerk to handle)

Res. 77-534 adopted (Kullijian/Siefkin, unan.) reappointing Paul LaVine, Harold Jolliff, and Bill Ulm to the Farm-City Advisory Committee with terms expiring May 1, 1980, reappointing Sherman Boone, John DeBoer, and Joe Kollmeyer to the Farm-City Advisory Committee with terms expiring May 1, 1981. (Clerk to handle)

Res. 77-535 adopted (Kullijian/Siefkin, unan.) appointing Councilmember Richard Lang to the Economic Development Act Committee. (Clerk to handle)

28. Matters too late for the agenda.

ACTION: Mayor Davies commended the Parks Department on the Summer Recreation Program.

28. Matters too late for the agenda, continued.

ACTION: Councilmember Mensinger reported on the conference held by the Youth Commission.

The City Clerk said Senator Zenovich had extended an invitation to the City Council to go to Fresno Tuesday afternoon, May 17, to meet President Carter when he arrives there.

Adjourned at 4:30 P.M. to executive session with the announcement that the Council would not return to open session.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Special Meeting
May 17, 1977, 3:00 P.M.

The Council of the City of Modesto met pursuant to adjournment at 3:00 P.M. in the Council Chambers, City Hall, 801 - 11th Street, Modesto, California, to further consider the preliminary budget for 1977-78.

Present: Councilmembers Dunlap, Lang, Mensinger, Siefkin

Absent: Councilmembers Elliott, Kullijian, Mayor Davies

The following budgets were discussed:

PARKS AND RECREATION:

Administration (pages 72-75)
McHenry Museum (pages 76-77)
McHenry Mansion (pages 78-79)
King-Kennedy Memorial Center (pages 80-83)
Recreation (pages 84-87)
Maddux Youth Center (pages 88-89)
Community Service Center (pages 90-91
Parks (pages 92-95)
Street Trees (pages 96-99)
9-Hole Muni Golf Course (pages 100-101)
Dryden Golf Course (pages 102-103)
Senior Citizen Center (pages 104-105)
Tuolumne River Regional Park (pages 182-183)

CITY COUNCIL (pages 28-29)

CITY MANAGER (pages 30-31)

Management Services - Analysis (pages 32-33)
Management Services - Personnel (pages 34-37)
Managerment Services - Word Processing Center (pages 38-39)
Comprehensive Employment Training Act (pages 164-167)

CITY ATTORNEY (pages 40-41)

PLANNING AND COMMUNITY DEVELOPMENT (pages 48-53)

Downtown Improvement District (pages 162-163)
Housing and Community Development (pages 170-174)

FIRE (pages 54-58

DISASTER AND CIVIL DEFENSE (pages 60-61)

Adjourned at 4:35 P.M. to 3:00 P.M. on Thursday, May 19, 1977, to continue consideration of the budget.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Special Meeting
May 19, 1977, 3:00 P.M.

The Council of the City of Modesto met pursuant to adjournment at 3:00 P.M. in the Council Chambers, City Hall, 801 - 11th Street, Modesto, California, to further consider the preliminary budget for 1977-78.

Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Siefkin, Mayor Davies

Absent: Councilmember Mensinger
(Councilmember Elliott arrived at 3:55 P.M. and Councilmember Kullijian left at 4:05 P.M.)

The following budgets were discussed:

POLICE (pages 62-68)

NEIGHBORHOOD YOUTH ADVISORS (pages 70-71, 168-169)

Tom Byrne questioned about amount spent on traffic enforcement.

FINANCE (pages 44-47)

INSURANCE AND RETIREMENT (pages 150-151, 198-199)

MISCELLANEOUS UNCLASSIFIED (pages 152-153)

BOND REDEMPTION AND INTEREST (pages 188-189)

WORKERS' COMPENSATION INSURANCE (pages 198-199)

CITY CLERK AND AUDITOR (pages 42-43)

Adjourned at 4:15 P.M. to 3:00 P.M., Tuesday, May 24, 1977.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 23, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Siefkin, Mayor Davies
Absent: Councilmember Mensinger

Pledge of allegiance to the Flag.
Invocation by Reverend Eddie Evans, Herald General Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8A, 8B, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 23, 24, 25, 26, 27, 28, 29, 30, 31
Dunlap/Siefkin, unan. - 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 May 10, the special meeting of May 12, the adjourned special meeting of May 12, the regular meeting of May 16, and the adjourned special meeting of May 17, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from John Martin, Senior Opportunity Service Program, regarding "The Old Firehouse."

ACTION: By motion (Elliott/Dunlap, unan. - Mensinger, absent) the staff was asked to investigate the condition of the roof and make whatever repairs are necessary, including replacement of the roof if needed. (P/W to handle)

CONSENT
3. Letter from 4th of July Celebration Committee requesting additional funds and arrangements for the "Picnic in the Park."
(Motion referring to proper budget session needed)

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

CONSENT
4. Letter from Donald Bronzich appealing a decision of the Public Works Department concerning his driveway approach.
(Resolution setting hearing on June 27, 1977, at 7:35 P.M. needed)

ACTION: Res. 77-536 adopted setting hearing. (Clerk to handle)

CONSENT

5. Letter from Mid-Valley Engineering appealing the Planning Commission decision concerning rezoning from R-2 to P-O, property on the south side of Sylvan Avenue. (Weeks Real Estate)
(Resolution setting hearing June 27, 1977 at 7:30 P.M. needed)

ACTION: Res. 77-537 adopted setting hearing. (Clerk to handle)

CONSENT

6. Letter from J. R. Morgenson resigning from the Personnel Commission.
(Resolution accepting resignation with regret needed)

ACTION: Res. 77-538 adopted accepting resignation with regret. (Clerk to handle)

CONSENT

7. Request by Downtown Improvement District for use of sidewalk for sale on May 19 - 21, 1977.
(Motion approving request needed)

ACTION: By motion, request approved.

8. Letter from Elizabeth Williams, President, Stanislaus Day Care Association, regarding Zoning, Building and Fire Code requirements for day care centers.

ACTION: By motion (Dunlap/Kullijian, unan. - Mensinger, absent) staff to check on what Code changes might be made regarding child day care centers and report back to the Council on June 27, 1977. (P/W to handle)

CONSENT

8a. Letter from Board of Directors of King-Kennedy Memorial Center requesting assistance with the Annual June Teen Day, June 18, 1977.
(Motion approving request needed)

ACTION: By motion, request approved. (P & R to handle)

CONSENT

8b. Letter from Hischier Nursery regarding a variance on the driveways at 310 and 314 W. Granger Avenue.
(Resolution setting hearing on June 20, 1977 at 4:20 P.M. needed)

ACTION: Res. 77-539 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

9. Consider approving specifications and authorizing call for bids to be opened June 14, 1977 at 2:00 P.M. for furnishing one automatic feed-check endorser.
(The equipment will be used primarily to endorse an estimated 250,000 checks generated annually by the Utilities and Accounting Divisions of Finance. Resolution authorizing call for bids needed. Estimated Cost: $4,600.00; funds are budgeted.)

ACTION: Res. 77-540 adopted approving specifications and bid call. (Finance to handle)

CONSENT

10. Consider approving specifications and authorize call for bids to be opened June 14, 1977, at 2:30 P.M. for furnishing annual requirements of dry-cell batteries.
(Annual requirements: batteries are used by all departments, with the Police Department being the largest user. Batteries are purchased intermittently throughout the fiscal year and are stored in Central Stores. Resolution authorizing the call for bids needed. Estimated Cost: $9,000.00; funds are budgeted.)

ACTION: Res. 77-541 adopted approving specifications and bid call. (Finance to handle)

CONSENT

11. Consider approval of specifications and authorize call for bids to be opened June 14, 1977, at 2:45 P.M., for furnishing annual lamp requirements.
(Annual requirements: This is a cooperative venture and includes the needs of Modesto City Schools, City of Modesto, Stanislaus County, and Yosemite Junior College, representing $56,000.00 list price value. Lamps purchased intermittently throughout the 1977-78 fiscal year. Resolution authorizing call for bids needed. Estimated cost for City of Modesto: $12,800.00; funds are budgeted.)

ACTION: Res. 77-542 adopted approving specifications and bid call. (Finance to handle)

CONSENT

12. Consider approval of specifications and authorize call for bids to be opened June 21, 1977 at 2:00 P.M., for furnishing seasonal requirements of steroid saponin.
(Annual requirement: Material is used for treating industrial and residential sewage. Materials purchased during the canning season. Resolution authorizing call for bids needed. Estimated Cost: $90,000.00; funds are budgeted.)

ACTION: Res. 77-543 adopted approving specifications and bid call. (Finance to handle)

CONSENT

13. Consider approving specifications and authorizing call for bids to be opened June 14, 1977, at 2:15 P.M. for furnishing two light utility pickup trucks.
(Equipment requested for Risk Manager and Assistant Public Service Inspector positions and are funded by ARFA. Equipment will not serve as a replacement for any like item currently on hand. Resolution authorizing call for bids needed. Estimated Cost: $8,350.00; funds are budgeted.)

ACTION: Res. 77-544 adopted approving specifications and bid call. (Finance to handle)

CONSENT

14. Consider approval of plans and specifications and call for bids for construction of an access road into E. La Loma Park.
(Suggested Bid Opening date: June 14, 1977 at 11:00 A.M. This construction has been budgeted to provide a paved access road into the proposed East La Loma Park proper. Resolution approving plans and specifications and call for bids needed. Estimated Cost: Constr., $35,431.50; Engr., $1,540.50; Total $36,972.00; funds are budgeted.)

ACTION: Res. 77-545 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

15. Consider approval of plans and specifications and call for bids for Thousand Oaks Park lighting.
(Suggested Bid Opening date: June 14, 1977 at 11:10 A.M. This construction has been budgeted to provide park lighting for the pathways in Thousand Oaks Park. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $34,000 ($32,500, Constr., $1,500, Engr.); funds are budgeted.)

ACTION: Res. 77-546 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

16. Consider approval of plans and specifications and call for bids for the installation of a new stairway at Fire Station No. 1.
(Suggested Bid Opening date: June 7, 1977 at 11:00 A.M. This construction has been budgeted to provide improvements to Fire Station No. 1 consisting of a new stairway in the rear of the station. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $7,200 ($6,900, Constr.; $300, Engr.); funds will be requested after bids are opened.)

ACTION: Res. 77-547 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

17. Consider approval of plans and specifications and call for bids for construction of waterline extension in McHenry Avenue between Woodrow Avenue and 470' south.
(Suggested Bid Opening date: June 7, 1977 at 11:10 A.M. This project will supply water to the Hasco Development Co. Resolution accepting plans and specifications and call for bids needed. Estimated Cost: $5,875 ($5,375, Contract; $500, Engr. & Mat'ls.); funds are budgeted.)

ACTION: Res. 77-548 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

18. Consider award of contract for Drilling, Casing, Testing, and Development of one deep well for the City of Modesto, Well No. 43.
(Bids were opened on May 17, 1977. The low bid of $19,715.70, submitted by Osterberg and Stewart is 2% above the Engineer's Estimate and is considered acceptable. It is therefore recommended the contract be awarded to them. Resolution awarding contract to Osterberg and Stewart needed. Funds are budgeted.)

ACTION: Res. 77-549 adopted awarding contract to Osterberg & Stewart. (P/W to handle)

CONSENT

19. Consider acceptance of Bibens Nursery's contract for construction of Playground Equipment at C. F. Brown and Chrysler Parks. Original Contract: $26,800.
(All work on this project has been completed to the satisfaction of the Parks and Recreation Department and 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: $26,800.00; funds are budgeted.)

ACTION: Res. 77-550 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

20. Hearing, annexation of McHenry-Sylvan No. 2 Addition to Modesto Municipal Sewer District No. 1. 7:30 P.M.

ACTION: Res. 77-551 adopted (Dunlap/Kullijian, unan. - Mensinger, absent) annexing McHenry-Sylvan No. 2 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

21. Hearing, amendment to Sections 8-3-9 and 17-3-9 of the Zoning Map to rezone from R-1 to P-D, property located on the east side of Sherwood Avenue both north and south of Rumble Road. (James Price) 7:30 P.M.
(The City Council has declared its intention of continuing this hearing to Monday, June 13, 1977 at 7:30 P.M.)

ACTION: By motion (Dunlap/Siefkin, unan. - Mensinger, absent) hearing continued to June 13, 1977 at 7:30 P.M. (Clerk to handle)

22. Matters for the good of the community. 7:35 P.M.
(These may be presented by interested persons in the audience)

ACTION: Henry Kamps, member of the Farm-City Advisory Committee, and his daughter, Barbara, were introduced.

Res. 77-552 adopted (Elliott/Dunlap, unan. - Mensinger, absent) accepting a grant of easement from David and Mary Gallo as a part of Dry Creek Park and authorizing City Manager and City Clerk to sign the agreement and grant of easement. (Clerk to handle)

Res. 77-553 adopted (Elliott/Dunlap, unan. - Mensinger, absent) expressing appreciation to David and Mary Gallo. (Clerk to handle)

ORDINANCES

CONSENT
23. Final adoption of Ord. No. 1618-C.S. relating to business licenses.

ACTION: By motion, Ord. No. 1618-C.S. adopted. (Clerk to handle)

CONSENT
24. Consider implementation of the City conservation of water program. (It is necessary to prohibit the irrigation of landscaped areas from 3:00 P.M. to 9:00 P.M. during the months of June - October, 1977, to strengthen the water waste control program and to eliminate the volume discount rates by January, 1979 for water delivered through a meter. Memo with agenda. Adoption of emergency ordinance and introduction of a regular ordinance amending the Municipal Code and adoption of a resolution establishing limitations on the use of water from the Municipal water system needed.)

ACTION: By motion, Ord. No. 1619-C.S. adopted amending Municipal Code relating to use of water. (Clerk to handle)

By motion, Ord. No. 1620-C.S. introduced amending Municipal Code relating to use of water. (Clerk to handle)

Res. 77-554 adopted establishing limitations on the use of water from the Municipal Water System during the months of June, July, August, September and October, 1977. (P/W to handle)

NEW BUSINESS

CONSENT
25. Food Concession agreement for Dryden Golf Course Clubhouse.
(Consider awarding bid to Lila Huff to operate the food concession at the Dryden Golf Course Clubhouse. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 77-555 adopted approving agreement. (P & R to handle)

CONSENT
26. Consider grant to S.O.S.P.
(The Senior Opportunity Service Program has requested a $2,700 grant for transit service they are and will be providing through the first half of 1977. An agreement has been prepared. Memo with agenda. Resolution approving agreement needed. Estimated Cost: $2,700; funds are budgeted.)

ACTION: Res. 77-556 adopted approving agreement. (P & T to handle)

CONSENT
27. Consider request by St. Paul's Episcopal Church to install a water well on the church property.
(The proposed well will be used as part of a heat pump system to heat and cool proposed additions to the church complex. Memo with agenda. Resolution granting permission to install well needed.)

ACTION: Res. 77-557 adopted granting St. Paul's Episcopal Church permission to install well. (P/W to handle)

CONSENT
28. Consider approval of a lease agreement with Swift Aire Lines for service to Modesto City-County Airport/Harry Sham Field.
(A three-year lease agreement has been negotiated covering rental of space in the passenger terminal, landing fees, overnight parking fees and various other conditions and requirements. The provisions included in the lease are similar to those included in the existing lease with United Airlines. Memo with agenda. Resolution approving lease agreement needed.)

ACTION: Res. 77-558 adopted approving lease agreement. (P/W to handle)

CONSENT
29. Consider approval of the final map of the Pioneer Village 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. (Subdivider: James Horn Construction Company)
(The subdivision agreement has been signed and all fees paid. Pioneer Village No. 1 subdivision is located at the Southeast corner of Elm Avenue and Carpenter Road. It contains 12.587 acres. Resolution approving final map needed.)

ACTION: Res. 77-559 adopted approving final map. (Clerk to handle)

CONSENT
30. Consider acceptance of improvements in Montecito Park subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Subdivider: Norman Winsor)
(Montecito Park subdivision is located on the north side of Veneman Avenue 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 needed.)

ACTION: Res. 77-560 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

31. Revision to fees for development applications.
(New fees are proposed for tentative subdivision and parcel map review, plot plan review, conditional use permits, variances, and rezonings. Memo with agenda. Resolution setting informal public hearing on June 20, 1977 at 4:00 P.M. needed)

ACTION: Res. 77-561 adopted setting hearing. (Clerk to handle)

32. Oral presentation by Stanford Cushway regarding the proposed Community Center.

ACTION: The Mayor assured Mr. Cushway that his statement will be considered by the committee studying the community center. (C/Mgr to handle)

MISCELLANEOUS

33. Legislation.

NONE

34. Appointments.

NONE

35. Matters too late for the agenda.

ACTION: Roe Edwards, Rule Development, asked that Council action taken to split a piece of property be rescinded. By Order of the Chair, the Staff was directed to meet with Mr. Edwards to see what could be done to solve the problem. (P/W to handle)

By motion (Kullijian/Lang, unan. - Mensinger, absent) request to accelerate the hiring of 6 additional police officers, to be funded through A.R.F.A., approved. (Personnel to handle)

Adjourned to executive session at 9:20 P.M. with the announcement that the Council would not return to open session.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Special Meeting
May 24, 1977, 3:00 P.M.

The Council of the City of Modesto met pursuant to adjournment at 3:00 P.M. in the Council Chambers, City Hall, 801 - 11th Street, Modesto, California, to further consider the preliminary budget for 1977-78.

Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Siefkin, Mayor Davies

Absent: Councilmember Mensinger
(Councilmembers Dunlap and Siefkin arrived at 3:05 P.M.)

The following budgets were considered:

MUSIC AND PROMOTION (pages 148-149)

Miscellaneous Promotions	-	$1,000	tentatively approved.
California Relays	-	$6,000	" "
4th of July	-	$2,000	" "
Modesto Band	-	$2,650	" "
Modesto Symphony	-	$5,000	" "
Industry, Business	-	$35,000	" "
Youth Theatre	-	$3,000	" " by motion (Lang/Kullijian, maj. - Elliott, no - Mensinger, absent)
Central Valley Dance	-	$1,000	tentatively approved by motion (Elliott/Siefkin, maj. - Mayor Davies, no - Mensinger, absent)
Soccer	-	$4,324	(including $2,400 supplemental) (pages 84-87) Staff recommendation tentatively approved by motion (Lang/Kullijian, unan. - Mensinger, absent)
Head Rest	-	$20,000	(page 153) tentatively approved by motion (Elliott/Dunlap, maj. - Kullijian, no - Mensinger, absent

Meeting adjourned at 4:35 P.M. to Thursday, May 26, 1977 at 3:00 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Special Meeting
May 26, 1977, 3:00 P.M.

The Council of the City of Modesto met pursuant to adjournment at 3:00 P.M. in the Council Chambers, City Hall, 801 - 11th Street, Modesto, California, to further consider the preliminary budget for 1977-78.

Present: Councilmembers: Dunlap, Lang, Siefkin, Mayor Davies

Absent: Councilmembers: Elliott, Kullijian, Mensinger

Mayor Davies asked the City Manager to set up a tour of various capitol projects being considered in the future.

Councilmember Dunlap said he would like to discuss the request of the Central Valley Dance Company again before final adoption of the budget.

The following C.I.P. budgets were considered:

PARKS AND RECREATION

Projects which could be deferred if funds are needed to complete purchase of land for Dry Creek Park were suggested.

Replacing a concrete deck at the McClure House and installing a chain link fence at the 9-hole golf course, $5,000 each, were added to the list.

PLANNING AND COMMUNITY DEVELOPMENT

DOWNTOWN IMPROVEMENT DISTRICT

MANAGEMENT SERVICES/ANALYSIS

FINANCE

FIRE

PUBLIC WORKS

Streets

Adjourned at 4:55 P.M. to 3:00 P.M. Tuesday, May 31, 1977.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Special Meeting
May 31, 1977, 3:00 P.M.

The Council of the City of Modesto met pursuant to adjournment at 3:00 P.M. in the Council Chambers, City Hall, 801 - 11th Street, Modesto, California, to further consider the preliminary budget for 1977-78.

Present: Councilmembers: Dunlap, Elliott, Lang, Siefkin, Mayor Davies

Absent: Councilmembers: Kullijian, Mensinger

The following C.I.P. budgets were considered:

CITY HALL

PUBLIC WORKS

Engineering - $15,000 added for Cable TV testing equipment.
Airport
Service
Water
Waste Water Treatment
Storm Drainage
Street Lighting
Garden Refuse

PARKING AND TRAFFIC

Adjourned at 4:45 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 6, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Siefkin, Mayor Davies
Absent: Councilmember Mensinger

Pledge of Allegiance to the Flag
Invocation by Reverend Donald Nelson, Centenary Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 13, 14, 15, 16, 17, 18, 19, 25, 27, 29, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48
Items 12, 28 and 30 removed from consent
Siefkin/Kullijian, unan. - 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 regular meeting of May 23, 1977, and adjourned special meetings of May 19, May 24, May 26, and May 31, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Application by Eugene Boyd, Jr. to file a late claim for damages for false imprisonment and battery.
(Resolution denying request needed)

ACTION: Res. 77-562 adopted rejecting application to file late claim. (Clerk to handle)

CONSENT
3. Letter from Raymond F. Whitgrove resigning from the Personnel Commission.
(Resolution accepting resignation with regret needed)

ACTION: Res. 77-563 adopted accepting resignation with regret. (Clerk to handle)

BIDS

CONSENT
4. Consider approval of specifications and authorize call for bids to be opened June 21, 1977 at 2:30 P.M. for furnishing ten police portable radios.
(Radios are new equipment and will not replace any like items currently on hand; radios will be used by patrol officers. Radios will be purchased using ARFA funds. Resolution authorizing call for bids needed. Estimated Cost: $10,934.00; funds are budgeted.)

ACTION: Res. 77-564 adopted approving specifications and bid call. (Finance to handle)

CONSENT

5. Consider approving specifications and authorizing call for bids to be opened June 21, 1977 at 2:45 P.M. for furnishing one word processing system.
(Item to be purchased for the Record Center and will not replace any like system. Equipment will be used to type highly repititious documents to include letters, specifications, contracts, etc. Equipment to be purchased using ARFA funds. Resolution authorizing call for bids needed. Estimated Cost: $12,600.00; funds are budgeted.)

ACTION: Res. 77-565 adopted approving specifications and bid call. (Finance to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for construction of waterlines in E Street, Burney Street, Walden Street, James Street, Jennie Street and Groveland Street.
(Suggested Bid Opening: June 21, 1977 at 11:10 A.M. This project was budgeted in the CIP to strengthen fire flows to the area. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $60,627.50 ($55,627.50 Contract; $5,000 Engr. & Materials); funds are budgeted.)

ACTION: Res. 77-566 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for construction of waterlines in Sylvan Meadows East No. 4, Sylvan Meadows East No. 5, Vintage Faire No. 2 and Woodglen Park No. 2.
(Suggested Bid Opening: June 21, 1977 at 11:15 A.M.)

Costs & Revenues	Sylvan Meadows East No. 4	Sylvan Meadows East No. 5	Vintage Faire	Woodglen Park #2
Construction	$52,473	$22,383	$23,845	$31,736
Connection Charges	16,940	7,260	10,120	17,160
Net Revenue	1,340	574	800	1,357

Resolution approving plans and specifications and call for bids needed. Estimated Cost: $130,437 ($111,137 Contract, $19,300 Engr. & Materials). Funds are partially budgeted. An appropriation transfer will be made for the balance after bids are opened and exact costs are known.)

ACTION: Res. 77-567 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

8. Consider approval of specifications and authorize call for bids to be opened June 21, 1977 at 2:15 P.M. for furnishing police vehicle emergency light bar and sound system equipment.
(Memorandum with agenda. Resolution authorizing call for bids needed. Estimated Cost: Sirens - $14,029.00, Light Bars - $1,577.00; funds are budgeted.)

ACTION: Res. 77-568 adopted approving specifications and bid call. (Finance to handle)

CONSENT

9. Consider award of contract for the installation of irrigation system at Thousand Oaks Park.
(Bids were opened on May 24, 1977. The low bid submitted by Albert M. Biehl for $13,411.00 which is 38% below the Engineer's Estimate is considered acceptable. It is therefore recommended that the contract be awarded to him. Resolution awarding contract to Albert M. Biehl needed. Funds are budgeted.)

ACTION: Res. 77-569 adopted awarding contract to Albert M. Biehl. (P/W to handle)

CONSENT

10. Consider award of contract for the installation of irrigation systems and landscaping at Revard Park.
(Bids were opened on May 24, 1977. The low bid submitted by Bibens Nursery Co. for $33,043.00 which is 17% below the Engineer's Estimate is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding contract to Bibens Nursery Co. needed. Funds are budgeted.)

ACTION: Res. 77-570 adopted awarding contract to Bibens Nursery Co. (P/W to handle)

CONSENT

11. Consider award of contract for the installation of irrigation systems and landscaping at Briggsmore and Prescott.
(Bids were opened on May 24, 1977. The low bid submitted by Albert M. Biehl for $24,846.00 which is 33% below the Engineer's Estimate is considered acceptable. It is therefore recommended that the contract be awarded to him. Resolution awarding contract to Albert M. Biehl needed. Funds are budgeted.)

ACTION: Res. 77-571 adopted awarding contract to Albert M. Biehl. (P/W to handle)

12. Consider award of contract for modifying traffic signals on Dale at Vintage Faire driveway.
(Memo with agenda. Industrial Electrical Company was the low bidder at $12,800. The project cost, estimated at $14,000 is to be paid for entirely by Sanders Construction Company, Inc. Resolution awarding contract to Industrial Electrical Company needed. Funds are budgeted.)

ACTION: Res. 77-572 adopted (Kullijian/Siefkin, unan. - Mensinger, absent) awarding contract to Industrial Electrical Co. (P & T to handle)

By motion (Dunlap/Kullijian, unan. - Mensinger, absent) staff directed to collect the cost of moving the signal from Ernest W. Hahn, Inc. (P & T to handle)

CONSENT

13. Consider the following awards:
George Reed - Liquid asphalt boot loads at $107.00/ton
Emulsified asphalt boot loads at $100.00/ton
Emulsified asphalt F.O.B. plant at $93.00/ton

Chevron USA - Liquid asphalt tanker loads at $86.40/ton

(Memo with agenda. (1) Resolution authorizing purchase of material from George Reed needed; (2) Resolution authorizing purchase of materials from Chevron USA needed. Estimated Cost: $29,000.00; funds are budgeted.)

ACTION: Res. 77-573 adopted awarding contract to George Reed.

Res. 77-574 adopted awarding contract to Chevron USA. (Finance to handle)

CONSENT

14. Consider declaring Putnam Sand and Gravel low bidder and authorize the purchase of ready-mixed concrete for the following prices:
4 sack mix at $25.94 cu/yd
5 sack mix at $28.74 cu/yd
6 sack mix at $31.54 cu/yd
(Memo with agenda. Resolution authorizing purchase of ready-mixed concrete from Putnam Sand and Gravel needed. Est. Cost: $7,600.00; Funds are budgeted.)

CONSENT
14. Consider declaring Putnam Sand & Gravel low bidder, continued.

ACTION: Res. 77-575 adopted authorizing purchase of ready-mixed concrete from Putnam Sand and Gravel. (Finance to handle)

CONSENT
15. Consider declaring Willey Printing lowest responsible bidder and authorizing the purchase of code printing for $19.08 per page including sales tax.
(Memo with agenda. Resolution authorizing purchase of code printing needed. Estimated Cost: $3,816.00; funds are budgeted)

ACTION: Res. 77-576 adopted authorizing purchase of code printing from Willey Printing. (Finance to handle)

CONSENT
16. Consider award of contract for construction of Pump Station No. 16 Relocation.
(Bids were opened on May 31, 1977. The low bid of $63,000, submitted by William Mineni, is 11% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract to William Mineni needed. Estimated Cost: $68,000 ($63,000 contract; $5,000 Engr. & Cont.); funds are budgeted.)

ACTION: Res. 77-577 adopted awarding contract to William Mineni. (P/W to handle)

CONSENT
17. Consider acceptance of George Reed, Inc.'s contract for construction of picnic areas, barbecues and miscellaneous improvements at Rose, Sutter and Woodrow Parks. Original Contract: $45,000.00.
(All work on this project has been completed to the satisfaction of the Parks and Recreation Department and 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: Contract: $45,495.00; funds are budgeted.)

ACTION: Res. 77-578 adopted accepting contract as complete. (Clerk to handle)

CONSENT
18. Consider sale of house with attached garage located at 1801 Scenic Drive. These structures must be cleared for the Scenic/Rose intersection project.
(Memo with agenda. Resolution calling for bids and approving specifications and notice to bidders needed. Bid Opening: June 20, 1977 at 2:00 P.M.)

ACTION: Res. 77-579 adopted approving specifications and bid call. (P/W to handle)

CONSENT
19. Consider sale of structures located at 2917 River Road. This site is needed to provide a clear zone at the Modesto City-County Airport as required by the Federal Aviation Administration.
(Memo with agenda. Resolution calling for bids and approving specifications and notice to bidders needed. Bid Opening: June 20, 1977 at 2:05 P.M.)

ACTION: Res. 77-580 adopted approving specifications and bid call. (P/W to handle)

HEARINGS

20. Hearing on amendment to Section 32-3-9 of the Zoning Map to rezone from C-1 to C-2, property located at the northerly corner of Fourth and "H" Streets. (Dale M. Harter) — 4:00 P.M.

ACTION: Res. 77-581 adopted (Lang/Siefkin, unan. - Mensinger, absent) denying request for rezoning. (Planning to handle)

21. Hearing on abandonment of a portion of 12th Street between "D" and "B" Streets. (Stanislaus Food Products) — 4:05 P.M.

ACTION: Res. 77-582 adopted (Dunlap/Kullijian, unan. - Mensinger, absent) denying request. (Planning to handle)

By motion (Dunlap/Kullijian, unan. - Mensinger, absent) staff directed to investigate other alternatives to the problem. (Planning to handle)

22. Hearing on costs of demolition of house, outbuildings, and fences at 117 Sherman Avenue, Modesto. — 4:10 P.M.

ACTION: Res. 77-583 adopted (Dunlap/Elliott, unan. - Mensinger, absent) assessing costs. (Finance to handle)

23. Hearing on amendment to Section 18-3-9 of the Zoning Map to rezone from P-O to P-D to allow condominium office complex, property located at the northwest corner of Briggsmore Avenue and Tully Road. (Land Resources Development Corp.) — 4:15 P.M.

ACTION: By motion (Kullijian/Dunlap, unan. - Mensinger, absent) Ord. No. 1621-C.S. introduced approving rezoning. (Clerk to handle)

Res. 77-584 adopted (Kullijian/Dunlap, unan. - Mensinger, absent) approving development plan P-D(162). (Planning to handle)

Res. 77-585 adopted (Kullijian/Dunlap, unan. - Mensinger, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

24. Matters for the good of the community. (These may be presented by interested persons in the audience) — 4:20 P.M.

ACTION: Everett Boyd (Calvin's Ice Cream) spoke about prohibition of sound amplification equipment for commercial vehicles. By motion (Dunlap/Siefkin, unan. - Mensinger, absent) staff directed to check on possible changes to the ordinance and report back to Council. (C/Atty and Management Services to handle)

ORDINANCES

CONSENT

25. Final adoption of Ord. No. 1620-C.S. relating to water rates and regulations.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 1620-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

26. Consider Safeway's request for a left-turn lane on Brissgmore west of McHenry.
(Memo with agenda. Safeway has asked for a left-turn lane to allow eastbound Briggsmore Avenue traffic to turn into Briggsmore Square's easternmost driveway. Motion denying request for left-turn lane needed.)

ACTION: By motion (Elliott/Dunlap, maj. - Kullijian, no - Mensinger, absent) request denied. (P & T to handle)

NEW BUSINESS

CONSENT

27. Consider resolution authorizing the City Manager to sign training agreements between the State of California Highway Patrol and the City of Modesto Police Department for fiscal year 1977-78.
(The State of California requires a signed agreement each fiscal year between the State and any agency desiring to use their facilities for training purposes. From time to time the Modesto Police Department sends officers to the CHP Academy for specialized training. Memo with agenda. Resolution authorizing City Manager to sign agreements needed.)

ACTION: Res. 77-586 adopted authorizing City Manager to sign training agreements. (Police to handle)

28. Consider approval of street projects which comprise the Modesto-Ceres urbanized area Federal Aid Urban Program, and consider request to the Board of Supervisors to expedite administrative procedures prerequisite to the start of widening Standiford Avenue.
(Memo with agenda. Resolution approving program and resolution requesting action by Stanislaus County needed.)
(Dunlap/Elliott, unan. - Mensinger, absent)

ACTION: Res. 77-587 adopted/approving street projects program. (P/W to handle)

Res. 77-588 adopted (Dunlap/Elliott, unan. - Mensinger, absent) requesting action. (P/W to handle)

CONSENT

29. Consider declaring equipment surplus to City needs and authorizing the Purchasing Officer to sell to the highest bidder.
(Memo with agenda. Resolution authorizing sale of surplus equipment to the highest bidder needed.)

ACTION: Res. 77-589 adopted declaring equipment surplus to City needs and authorizing the Purchasing Officer to advertise and sell to the highest bidder. (Finance to handle)

30. Amendment to City Council Resolution No. 75-866 regarding voting on Housing Program Committee and Subcommittees.
(Memo with agenda. Amendment recommended to permit action by majority present rather than by affirmative votes of a quorum or more. Resolution amending Res. 75-866 needed.)

ACTION: Res. 77-590 adopted (Kullijian/Dunlap, maj. - Siefkin, no - Mensinger, absent) that Res. 75-866 be amended to provide that action may be taken by a majority of the members present at meetings of the Housing Maintenance and Counseling Subcommittee and the Rehabilitation Loan Pool Subcommittee. (Planning to handle)

CONSENT
31. Consider revising Position Classification Plan and amending salary schedule and establishing compensation for new calssifications of Social Services Coordinator and Assistant Public Services Inspector. (Memos with agenda. Resolution revising Position Classification Plan and resolution amending salary schedule needed. Estimated Cost: $3,006.46; funds are budgeted.)

ACTION: Res. 77-591 adopted revising Position Classification Plan.

Res. 77-592 adopted amending salary schedule. (Personnel to handle)

CONSENT
32. Consider upgrading two approved Antirecessionary funded positions from Civil Engineering Technician I to Civil Engineering Technician II.
(Memo with agenda. Motion upgrading the two positions to Civil Engineering Technician II needed. Estimated Cost: $255.00; funds are budgeted.)

ACTION: By motion, positions approved. (Personnel to handle)

CONSENT
33. Consider agreement with John C. Sue Associates.
(Agreement provides that John Sue Associates, Landscape Architects, will prepare a master plan for Sonoma Park for a sum not to exceed $4,950. The agreement is the standard agreement which we use for all master plans. Resolution approving agreement needed. Estimated Cost: $4,950; funds are budgeted.)

ACTION: Res. 77-593 adopted approving agreement. (P & R to handle)

CONSENT
34. Consider acceptance of improvements in Vintage Faire No. 1 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods.
(Vintage Faire No. 1 subdivision is located on the north side 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 needed.)

ACTION: Res. 77-594 adopted accepting improvements in Vintage Faire No. 1 subdivision as complete. (Clerk to handle)

CONSENT
35. Consider approval of the final map of Continental 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. (SUBDIVIDER: Rule-Dale Properties, a general partnership)
(The subdivision agreement has been signed and all fees paid. Continental Plaza subdivision is located on the south side of Union Avenue, west of McHenry Avenue. It contains 2.023 acres. Resolution approving final map needed.)

ACTION: Res. 77-595 adopted approving final map. (Clerk to handle)

CONSENT

36. Consider approval of the final map of Colonial Commons 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. (SUB-DIVIDER: Bomberger Bros.)
(The subdivision agreement has been signed and all fees paid. Colonial Commons No. 1 subdivision is located on the north side of Standiford Avenue, east of Tully Road. It contains 19.723 Acres. Resolution approving final map needed.)

ACTION: Res. 77-596 adopted approving final map. (Clerk to handle)

CONSENT

37. Consider approval of the final map of Lincoln Square 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. (DEVELOPER: Bomberger Bros.)
(The subdivision agreement has been signed and all fees paid. Lincoln Square No. 6 subdivision is located on the east side of Lincoln Avenue, north of Yosemite Blvd. It contains 20.831 acres. Resolution approving final map needed.)

ACTION: Res. 77-597 adopted approving final map. (Clerk to handle)

CONSENT

38. Consider request for sewer service to property outside City limits at 2036 Lance Street located on the south side of Lance Street between Phoenix Avenue and Brookfield Drive. (OWNERS: Lloyd D. Kint and Geraldine B. Kint)
(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. 77-598 adopted approving agreement. (P/W to handle)

CONSENT

39. Consider request for sewer service to property outside City limits at 574 Phoenix Avenue, located on the northeast corner of Phoenix Avenue and Ellis Street. (OWNERS: Gleadis V. Fowler aka Gleadis V. Pickle and Morris J. Fowler)
(The property owners have signed an agreement to annex when requested to do so by City. The porperty is contiguous to the City limits and a lines exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 77-599 adopted approving agreement. (P/W to handle)

CONSENT

40. Consider request for sewer service to property outside City limits at 1530 Paulette Avenue, located on the east side of Paulette Avenue between E. Coolidge Avenue and Briggsmore Avenue. (OWNERS: Frank D. Lund and Lois L. Lund)
(The property owners have signed an agreement to annex when requested to do so by City. The porperty is not contiguous to City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 77-600 adopted approving agreement. (P/W to handle)

CONSENT

41. Consider request for sewer service to property outside City limits at 1536 Paulette Avenue, located on the east side of Paulette Avenue between E. Coolidge Avenue and Briggsmore Avenue. (OWNERS: Mike Littlepage and Mary Littlepage)
(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. 77-601 adopted approving agreement. (P/W to handle)

REPORTS

CONSENT

42. Notice of P.G. & E. application to increase natural gas charges. (Memo with agenda. The application to the P.U.C. asks for an 8.8% increase in gas rates. It is recommended that the matter be left to the P.U.C. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

REPORTS FROM PLANNING COMMISSION

CONSENT

43. Recommend amendment to Chapter 2 of Title X - Zoning Regulations, In Lieu Parking Payments.
(On May 17, 1977, the Planning Commission adopted Res. 77-100 recommending to the City Council an amendment to Section 10-2.1806 (Title X, Chapter 2) of the Zoning Regulations, which adds quarterly in lieu parking payments to the off-street parking standards of the Zoning Ordinance. Resolution setting public hearing July 5, 1977 at 4:10 P.M. needed)

ACTION: Res. 77-602 adopted setting hearing. (Clerk to handle)

CONSENT

44. Recommend to Council amendment to Section 8-3-9 of the Zoning Map - Allen Grant, Inc.
(On May 17, 1977, the Planning Commission adopted Res. 77-96 recommending to the City Council an amendment to Section 8-3-9 of the Zoning Map to rezone from R-1 to P-D to permit zero lot line small lot residential development, property located on west side of Tidewater Southern Railroad Tracks, north of Standiford Avenue. Resolution setting public hearing July 11, 1977 at 7:30 P.M. needed.)

ACTION: Res. 77-603 adopted setting hearing. (Clerk to handle)

CONSENT

45. Recommend to Council amendment to Section 21-3-9 of the Zoning Map - Earl H. Warner, Jr.
(On May 17, 1977, the Planning Commission adopted Res. 77-98 recommending to the City Council an amendment to Section 21-3-9 of the Zoning Map to rezone from R-1 to P-O, property located on the west side of Coffee Road north of Fairmont Avenue across from Downey High School. Resolution setting public hearing July 5, 1977 at 4:15 P.M. needed)

ACTION: Res. 77-604 adopted setting hearing. (Clerk to handle)

CONSENT
46. Recommend to Council amendment to Section 9-3-9 of the Zoning Map - Haig Berberian.
(On May 17, 1977, the Planning Commission adopted Res. 77-99 recommending to the City Council an amendment to Section 9-3-9 of the Zoning Map to rezone from R-1 to P-O, property located at the northwest corner of Coffee Road and Sylvan Avenue (Haig Berberian). Resolution setting public hearing July 5, 1977 at 4:20 P.M. needed.)

ACTION: Res. 77-605 adopted setting hearing. (Clerk to handle)

CONSENT
47. Recommend amendments to the Land Use and Circulation Elements of the Modesto Urban Area General Plan.
(On December 21, 1976, the Planning Commission adopted Res. 76-236 and on May 17, 1977, adopted Res. 77-97, which resolutions recommend amendments to the Land Use and Circulation Elements Map and text of the Modesto Urban Area General Plan. Resolution setting public hearing July 11, 1977 at 7:35 P.M. needed.)

ACTION: Res. 77-606 adopted setting hearing. (Clerk to handle)

CONSENT
48. Set date for public hearing - Uninhabited annexation to the City of Modeto - Standiford-Snyder Addition.
(Approved by LAFCO May 24, 1977. Resolution setting date for public hearing July 25, 1977 at 7:30 P.M. needed.)

ACTION: Res. 77-607 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

40. Legislation.

ACTION: By motion (Kullijian/Elliott, unan. - Mensinger, absent) SB 538 supported.

By motion (Mayor/Kullijian, unan. - Mensinger, absent) SB 406 opposed.

By motion (Elliott/Lang, unan. - Mensinger, absent) AB775/AB826/SB469 opposed.

By motion (Kullijian/Lang, unan. - Mensinger, absent) SB 751 supported.

By motion (Elliott/Dunlap, unan. - Mensinger, absent) SB 650 opposed.

By motion (Dunlap/Kullijian, unan. - Mensinger, absent) AB 764 opposed.

By motion (Elliott/Kullijian, unan. - Mensinger, absent) SB 150 opposed. (C/Mgr to handle)

50. Appointments.

ACTION: Res. 77-608 adopted (Kullijian/Elliott, unan. - Mensinger, absent) appointing Marie Coe Chairperson of the Rehabilitation Loan Pool Subcommittee and to Seat 9 of the Citizens Housing and Community Development Committee (replacing Bessie Bresciani) for a term ending June 30, 1979, and appointing Glen Robison to replace Bessie Bresciani in Seat 3 of the Rehabilitation Loan Pool Subcommittee for a term ending June 30, 1979. (Clerk to handle)

50. Appointments, continued.

ACTION: Res. 77-609 adopted appointing members of the Modesto Youth Commission for terms ending June 1, 1978: Beth Thompson (Beyer High School), Mark Jensen (Davis High School), Mike Dewaal (Downey High School), Martha Ketchum (Modesto High School), Gordon Boone (Modesto Christian High School), appointing members for terms ending December 1, 1977: Christine Cogorno (Central Catholic High School), Shanne Smith (Davis High School), Steve Recca (Downey High School), Denise Alloway (Modesto Christian High School), and reappointing John Bree (Central Catholic High School) for a term ending June 1, 1978. (Clerk to handle)

51. Matters too late for the agenda.

ACTION: Ross Campbell reported on the results of the water conservation program.

Adjourned to executive session at 6:05 P.M. with the announcement that the 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 MONDAY, JUNE 13, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None

Pledge of Allegiance to the Flag.
Invocation by Reverend Wilson Yost, Trinity United Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 14, 15, 16, 17, 18, 20, 21, 22, 23, 25
Item 19 dropped from agenda
Items 13 and 24 dropped from consent
Dunlap/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 regular meeting of June 6, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT
2. Consider declaring Western Farm Service low bidder and authorizing the purchase of Anhydrous Ammonia for $164.75 per ton.
(Memorandum with agenda. Resolution authorizing purchase of Anhydrous Ammonia needed. Estimated Cost: $54,000.00; funds are budgeted.)

ACTION: Res. 77-610 adopted awarding the bid to Western Farm Service. (Finance to handle)

CONSENT
3. Consider declaring Georgia Pacific low bidder and authorizing the purchase of Liquid Chlorine for $196.90 per ton for the 1977-78 fiscal year.
(Memo with agenda. Resolution authorizing purchase of Liquid Chlorine needed. Estimated Cost: $137,000.00; funds are budgeted.)

ACTION: Res. 77-611 adopted awarding bid to Georgia Pacific. (Finance to handle)

CONSENT
4. Consider award of contract for the installation of a new stairway at Fire Station No. 1.
(Bids were opened on June 7, 1977. The low bid of $4,276.40 submitted by Brown Sheet Metal and Mechanical, Inc., which is 38% below the Engineer's Estimate is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding contract to Brown Sheet Metal and Mechanical, Inc. needed. Funds are budgeted.)

ACTION: Res. 77-612 adopted awarding contract to Brown Sheet Metal and Mechanical, Inc. (Finance to handle)

CONSENT

5. Consider declaring American Bristol Industries lowest bidder meeting City specifications and authorizing the purchase of one Air Purification System for the total price of $12,547.33.
(Memo with agenda. Resolution authorizing purchase of equipment needed. Funds are budgeted.)

ACTION: Res. 77-613 adopted authorizing purchase from American Bristol Industries. (Finance to handle)

CONSENT

6. Consider rejecting bid for construction of waterline extension in McHenry Avenue between Woodrow Avenue and 470' south and authorize a new call for bids.
(Suggested bid opening: June 28, 1977 at 11:10 A.M. Bids were opened on June 7, 1977. A single bid of $10,750 was submitted by Joe Martin. The bid is 100% above the Engineer's Estimate and is considered unacceptable. It is recommended that the bid be rejected and the project be rebid. Resolution rejecting bids and authorizing a new call for bids needed. Estimated Cost: $5,875 ($5,375 Contract, $500 Engr. & Mat'ls); funds are budgeted.)

ACTION: Res. 77-614 adopted rejecting all bids opened in the office of the City Clerk on June 7, 1977 at 11:10 A.M., and authorizing new call for bids to be opened June 28, 1977 at 11:10 A.M. (P/W to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for improvements on Beyer Park Drive, Forest Glenn Drive and Sylvan Meadows Drive at Beyer Park and improvements on Niabell Place at Sylvan Park.
(Suggested bid opening: June 28, 1977 at 11:00 A.M. This project will complete the street improvements adjacent to Beyer Park and Sylvan Park with the exception of sidewalks. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $55,160 (Construction $52,532.50, Engr. $2,627.50); funds are budgeted.)

ACTION: Res. 77-615 adopted approving plans, specifications and call for bids. (P/W to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for improvements at the intersection of Sylvan Avenue and Coffee Road.
(Suggested bid opening: July 5, 1977 at 2:00 P.M. This project includes traffic signals, curb returns, sidewalks and asphalt paving at the intersection. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $51,000 (Contr. $45,000, Engr. & Insp. $6,000); funds are budgeted.)

ACTION: Res. 77-616 adopted approving plans, specifications and bid call. (P/W to handle)

HEARINGS

9. Continued hearing on amendment to Sections 8-3-9 and 17-3-9 of the Zoning Map to rezone from R-1 to P-D, property located on the east side of Sherwood Avenue both north and south of Rumble Road. (James Price) (Continued from 5/23/77 meeting) — 7:30 P.M.

ACTION: By motion (Dunlap/Siefkin, unan.) hearing continued to July 25, 1977 at 7:40 P.M. (Clerk to handle)

10. Hearing on appeal by Carl Ulrich, Jr. to Board of Zoning Adjustment's decision regarding a Conditional Use Permit for off-street parking at Alma and Audrey Avenues. 7:35 P.M.

ACTION: (Councilmember Mensinger was excused from consideration of this item due to a conflict of interest)

Res. 77-617 adopted (Dunlap/Lang, unan. - Mensinger, absent) affirming the action of the Board of Zoning Adjustment granting the permit. (Planning to handle)

11. Hearing on the 1977-78 Operating Budget, the 1977-78 through 1980-81 Capital Improvement Program, and the Revenue Sharing Program. 8:00 P.M.

ACTION: By motion (Dunlap/Lang, unan.) it was decided that no funds would be given to the Central Valley Dance Company, Turlock. (Finance to handle)

By motion (Dunlap/Kullijian, maj. - Elliott and Mayor Davies, no) Senior Citizens Full Service Center is to be included in the C.I.P. project list. (Finance to handle)

12. Matters for the good of the community. 8:05 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

13. Final adoption of Ordinance No. 1621-C.S. - amending Section Map 18-3-9 (Land Resources Development Co.).
(Motion adopting needed)

ACTION: (Councilmember Mensinger was excused from consideration of this item due to the fact that she was absent from the Council meeting during which this item was heard.)

By motion (Dunlap/Elliott, unan. - Mensinger, absent) Ord. No. 1621-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT
14. Consider approval of agreement between the City of Modesto and James Horn Construction Company for sanitary sewer on Carver Road.
(The developers have constructed a sanitary sewer on Carver Road between Brixton Lane and M.I.D. Lateral No. 6 which serves property on the east side of the Road. The agreement provides that the City will act as agent for the developers in refunding a share of the cost when the adjacent area on the west side of Carver Road desire service. No City funds are required. Resolution approving agreement needed.)

ACTION: Res. 77-618 adopted approving agreement. (P/W to handle)

CONSENT
15. Requirement for construction of curbs and/or sidewalks at the following locations: (Project No. 76/08/07 - 77/01/08)
(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 7:45 P.M., June 27, 1977 for hearings needed.)

(a) Sidewalk along Tully Road at 1229 Woodman Way, Lots 8 & 9 of Block 6118-A. (Aaron H. Brock & Florence D. Daniel)

CONSENT
15. Requirement for construction of curbs and/or sidewalks, continued.

(b) Curb along Ila Way at 208 East Coolidge Avenue, Lot 7 of Block 1193-A. (Fremont Chatfield)

(c) Curb at 127 Corson Avenue, Lot 14 of Block 652. (Rosalie McLeod)

(d) Curb along Grape Avenue at 1533 Grape Avenue, Lot 1 of Block 6107. (Sam Salsi)

(e) Curb at 220 Helen Avenue, Portion of Block 619. (Hazel Young)

(f) Curb and sidewalk at 518 Virginia Avenue, a portion of Block 520. (Walter L. Sederquist)

(g) Curb and sidewalk at 542 Virginia Avenue, a portion of Block 520. (James Van Parks)

(h) Curb and sidewalk at 516 Virginia Avenue, a portion of Block 520. (Jimmy E. Muncy)

(i) Sidewalk at 1706 Stetson Avenue, a portion of Block 6141. (Thomas C. Blank)

(j) Sidewalk at 1712 Stetson Avenue, a portion of Block 6141. (Leonard J. Parra)

(k) Sidewalk at 1619 Albany Avenue, a portion of Block 6141. (J. V. Ard)

(l) Sidewalk at 1613 Albany Avenue, a portion of Block 6141. (Paul L. Methvin)

(m) Sidewalk at 1713 Albany, Lot 1 of Block 6141. (Walter Harold Schultz)

(n) Sidewalk at 1623 Albany Avenue, a portion of Block 6141. (James Turner)

(o) Sidewalk at 1604 Stetson Avenue, Lot 14 of Block 6141. (Dean R. Wilson)

ACTION: Res. 77-619 adopted setting hearing. (Clerk to handle)

CONSENT
16. Set date for public hearing - annexation to the City of uninhabited territory (Scenic Bend Addition).
(Approved by LAFCO May 24, 1977. Resolution setting date for public hearing on August 1, 1977 at 4:00 P.M. needed.)

ACTION: Res. 77-620 adopted setting hearing. (Clerk to handle)

CONSENT
17. Uninhabited annexation to the City of Modesto - North McHenry No. 3 Addition.
(On May 24, 1977, the LAF Commission authorized this annexation without notice of public hearing. The school districts involved have been notified. Resolution annexing needed.)

ACTION: Res. 77-621 adopted annexing North McHenry No. 3 Addition to City of Modesto. (Clerk to handle)

CONSENT

18. Set public hearing on application for $175,315 in federal funds for transit operations in Fiscal Year 1976-77.
(Memo with agenda. An application for funds for transit operation expenses has been completed. It is recommended that the hearing be set for 7:35 P.M. on Monday, July 25, 1977. Resolution setting a hearing on the application needed. Estimated Cost: $175,315; funds are budgeted.)

ACTION: Res. 77-622 adopted setting hearing. (Clerk to handle)

CONSENT

19. Amendment to the 1977-78 Local Transportation Claim to claim $75,685 of the County of Stanislaus apportionment per agreement with the City of Modesto and the County of Stanislaus dated May 9, 1977.
(Memo with agenda. Resolution approving amended claim needed.)

DROPPED FROM AGENDA

CONSENT

20. Consider approval of concession agreement with Walser Travel Service, Inc. for travel insurance concession at the Modesto City-County Airport/ Harry Sham Field.
(The travel insurance concession has been renegotiated and the terms are basically the same as the previous agreement excepting the concessionaire has agreed to increase the fees to include 5% of the gross revenue and to provide a counter in the passenger terminal. Memo with agenda. Resolution approving the lease agreement needed.)

ACTION: Res. 77-623 adopted approving agreement. (P/W to handle)

CONSENT

21. Consider acceptance of a California Airport Aid Program grant agreement for projects at the Modesto City-County Airport/Harry Sham Field.
(The grant agreement authorizes $4,835.71 to be paid to the City of Modesto to cover a portion of the costs of the current taxiway extension, taxiway lights, terminal and general aviation apron reconstruction and obstruction removal projects at the Airport. Memo with agenda. Resolution accepting grant agreement needed.)

ACTION: Res. 77-624 adopted approving grant agreement. (P/W to handle)

CONSENT

22. Consider approval of a fixed base operator lease with Silvair Aviation at the Modesto City-County Airport/Harry Sham Field.
(A new lease agreement has been prepared with Silvair Aviation for office space and tie down spaces at the Airport. Memo with agenda. Resolution approving lease agreement needed.)

ACTION: Res. 77-625 adopted approving agreement. (P/W to handle)

CONSENT

23. Consider agreement between the City of Modesto and County of Stanislaus for domestic water system sampling and bacteriological testing.
(An agreement has been prepared providing for the continuation of the cooperative bacteriological sampling and testing of the municipal water by the County of Stanislaus. A payment of $9,000 per year by the City to the County is to be made. Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 77-626 adopted approving agreement. (P/W to handle)

24. Set date for continued public hearing - Sonoma Trunk Sewer (Orchard Neighborhood revised Final EIR).
(By meeting time, a revised Final EIR will be distributed to the City Council as well as a Public Projects Committee recommendation on schools. Memo with agenda. Resolution setting June 27, 1977, at 7:50 P.M. for continued public hearing needed.)

ACTION: Res. 77-627 adopted (Lang/Dunlap, unan.) setting June 27, 1977 at 7:50 P.M. for a public hearing to consider the Public Projects Committee's recommendations on school financing. (Clerk to handle)

Res. 77-628 adopted (Lang/Dunlap, unan.) setting July 25, 1977 at 7:45 P.M. for another public hearing regarding Orchard Neighborhood revised Final EIR. (Clerk to handle)

REPORTS

CONSENT
25. Presentation of Financial Statement for May, 1977.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

26. Legislation.

NONE

27. Appointments.

ACTION: Res. 77-629 adopted (Kullijian/Lang, unan.) appointing Georgia Ewing to replace Richard Jennings on the Human Rights Commission for a term ending May 1, 1978. (Clerk to handle)

Res. 77-630 adopted (Mensinger/Lang, unan.) appointing Lee Hampson to replace Don Hammond on the Board of Governors, Greater Modesto Community Foundation for a term ending December 31, 1981. (Clerk to handle)

Res. 77-631 adopted (Lang/Mensinger, unan.) appointing Bette Belle Smith to replace Natalie Shastid on the Culture Commission for a term ending January 1, 1981. (Clerk to handle)

Res. 77-632 adopted (Kullijian/Lang, unan.) appointing Jack Broome to the Downtown Improvement District Advisory Board, and reappointing Frank Cantele, Frank Ruggieri, and Gary West for terms ending March 28, 1981. (Clerk to handle)

28. Matters too late for the agenda.

NONE

Adjourned at 12:30 A.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 20, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Mayor Davies
Absent: Councilmember Siefkin

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 7, 8, 9, 10, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28A, 29, 30
Item 11 dropped from agenda
Item 26 removed from consent
Lang/Mensinger, 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 minutes of the regular meeting of June 13, 1977. (Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Request from the Fourth of July Committee for the following:

    1. That I Street between 11th and 12th Streets be barricaded between 9:30 A.M. and 3:30 P.M.;
    2. That permission be granted for the use of the City's reviewing stand with canvas top, to be placed on I Street close to the cannon in the Courthouse Park by City personnel on Saturday, July 2 or Sunday, July 3;
    3. That the Committee be granted permission to use a public address system at the reviewing stand (public address system to be furnished by said Committee);
    4. That the use of Del Webb Field for entertainment and display of fireworks on the evening of July 4, 1977 be approved;
    5. That the following parade route used in 1976 be approved as used in 1977: starts at 10th & F Streets; north on 10th to J Street; east on J Street to 11th; south on 11th to I Street; east on I Street to 15th Street and disband;
    6. That the City supply a standby fire truck.
    (Resolution approving request needed)

ACTION: Res. 77-633 adopted approving request. (P/R, Fire, Police and P/T to handle)

3. Letter from the Shoe Palace requesting permission to hold sidewalk sales.

ACTION: By motion (Elliott/Kullijian, unan. - Siefkin, absent) request to hold sidewalk sales denied.

BIDS

CONSENT

4. Consider approval of plans and specifications for 10th and K parking lot and authorize call for bids. Consider metered and monthly parker pass rates.
(Memo with agenda. A 10¢ per hour, 3-hour limit for parking meters and a $7.50 monthly parker pass rate are recommended. Resolution approving plans and specifications and call for bids on 7/19/77 at 2:00 P.M. needed; Ordinance setting parking meter rate and time limit needed; Resolution setting monthly parker pass rate needed. Est. Cost: $28,500; funds are budgeted. Any additional funds needed will be requested after bids are opened.)

ACTION: Res. 77-634 adopted approving plans, specifications and bid call. (P & T to handle)

Ord. No. 1622-C.S. introduced amending parking meter zoning map. (Clerk to handle)

Res. 77-635 adopted establishing Municipal Off-Street parking lots in the City of Modesto, providing for control thereon. (P & T to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for heating and air conditioning of Fire Station No. 1.
(Suggested Bid Opening date: July 12, 1977 at 11:10 A.M. The existing heating systems at Fire Station No. 1 have reached the end of their useful life and need to be replaced. It is recommended that the plans and specifications be approved and a call for bids authorized. Resolution approving plans and specifications and call for bids needed. Estimated Cost: ($60,000 Construction; $4,500 Engr.) $64,500; funds are budgeted.)

ACTION: Res. 77-636 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for construction of waterlines in College Terrace Estates.
(Suggested Bid Opening date: July 5, 1977 at 11:00 A.M.

Cost and Revenue		
Construction	$32,101.50	($27,191.50 Contract; $4,910 Engr & Materials
Connection Charges	12,100.00	
Net Revenue	957.00	

Resolution approving plans and specifications and call for bids needed. Funds are budgeted.)

ACTION: Res. 77-637 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

7. Consider declaring J. E. Bauer low bidder and authorizing the purchase of traffic line paint for the following prices:
Red (721-80-97 Type 1) $5.40/gal. White (PT 361) $3.50/gal.
Yellow (PT 362 M) $3.56/gal.
(Memo with agenda. Resolution authorizing purchase of traffic line paint needed. Estimated Cost: $27,000.00; funds are budgeted.)

ACTION: Res. 77-638 adopted awarding contract to J. E. Bauer. (Finance to handle)

CONSENT

8. Consider declaring the Flintkote Company and M. J. Ruddy low bidders and authorizing the purchase of annual requirements of rock, sand, and gravel.
(Memo with agenda. Resolution authorizing the purchase of items 1, 3, 4, & 6 from Flintkote needed; Resolution authorizing the purchase of items 2, 5, & 7 from M. J. Ruddy needed. Estimated Cost: $30,000.00; funds are budgeted.)

ACTION: Res. 77-639 adopted awarding contract for Items 1, 3, 4, & 6 to The Flintkote Co. (Finance to handle)

Res. 77-640 adopted awarding contract for Items 2, 5, & & to M. J. Ruddy. (Finance to handle)

CONSENT

9. Consider acceptance of Federal Aviation Administration grant offer and award the contract to George Reed, Inc. for Improvements at the Modesto City-County Airport/Harry Sham Field (FAA-ADAP #8-06-0153-05).
(Bids have been opened and a grant offer received from the FAA for the reconstruction of the terminal and general aviation aprons, taxiway lights, the new connecting taxiway, the acquisition of avigation easements, and obstruction removal. Bids were opened May 24, 1977. The low bid of $242,877.25, submitted by Goerge Reed, Inc., is 5% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Memo with agenda. Resolution accepting Federal Aviation Administration grant offer and resolution awarding contract to George Reed, Inc. needed. Estimated Cost: $242,877.25; funds are budgeted.)

ACTION: Res. 77-641 adopted accepting grant offer.

Res. 77-642 adopted awarding contract to George Reed, Inc. (P/W to handle)

CONSENT

10. Consider award of contract for the construction of access road to East LaLoma Park.
(Bids were opened on June 14, 1977. The low bid submitted by Camanche Corporation, which is 34% below the Engineer's Estimate, is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding contract to Camanche Corporation needed. Estimated Cost: $23,330.00; funds are budgeted.)

ACTION: Res. 77-643 adopted awarding contract to Camanche Corporation. (P/W to handle)

11. Consider award of contract for the construction of Thousand Oaks Park Lighting.
(Bids were opened on June 14, 1977. The low bid of $27,725.00 submitted by Collins Electrical Company, Inc., which is 15% below the Engineer's Estimate, is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding contract to Collins Electrical Company, Inc. needed. Funds are budgeted.)

DROPPED FROM AGENDA

HEARINGS

12. Hearing, revision of fees for development applications. 4:00 P.M.

ACTION: By motion (Elliott/Lang, unan. - Siefkin, absent) option 1 of the proposed plan approved. (Planning to handle)

13. Reading of bids and oral bidding - House at 1801 Scenic. 4:10 P.M.

ACTION: Gayle Stowers, high bidder at $6,000; Harold Warkentin, second high bidder at $5,900.

Res. 77-644 adopted (Dunlap/Lang, unan. - Siefkin absent) awarding bid to Stowers. (P/W to handle)

14. Reading of bids and oral bidding - House at 2917 River Rd. 4:15 P.M.

ACTION: Lewis Baptista, high bidder at $12,800; Lillie Dalton, second high bidder at $12,700.

Res. 77-645 adopted (Kullijian/Elliott, unan. - Siefkin, absent) awarding bid to Baptista. (P/W to handle)

15. Hearing on request by Hischier Nursery for a variance on the driveways at 310 and 314 W. Granger Avenue. 4:20 P.M.

ACTION: Res. 77-646 adopted (Lang/Kullijian, unan. - Siefkin, absent) granting variance. (P/W to handle)

16. Matters for the good of the community. 4:25 P.M.
(These may be presented by interested persons in the audience)

NONE

NEW BUSINESS

CONSENT
17. Set date for public hearing - annexation to the City of uninhabited territory (El Vista - Ellis Addition).
(Approved by LAFCO on May 24, 1977. Resolution setting August 8, 1977 at 7:30 P.M. for the public hearing needed.)

ACTION: Res. 77-647 adopted setting hearing. (Clerk to handle)

CONSENT
18. Set date for public hearing - annexation to the City of uninhabited territory (Coffee-Coolidge Addition).
(Approved by LAFCO on May 24, 1977. Resolution setting August 8, 1977 at 7:35 P.M. for the public hearing needed.)

ACTION: Res. 77-648 adopted setting hearing. (Clerk to handle)

CONSENT

19. Consider approval of the final map of the Carpenter 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. (Subdivider: Ralph E. Carpenter and La Frances Carpenter, R. S. Thomas and Karen Louise Thomas, and Raymond P. Stuck)
(The subdivision agreement has been signed and all fees paid. Carpenter Manor subdivision is located on the south side of Standidord Avenue, west of Sherwood Avenue. It contains 3.502 acres. Resolution approving final map needed.)

ACTION: Res. 77-649 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider approval of the final map of the Beyerwood East 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. (Subdivider: Stonewood Development Co.)
(The subdivision agreement has been signed and all fees paid. Beyerwood East No 1 subdivision is located on the north side of Sylvan Avenue west of Oakdale Road. It contains 19.530 acres. Resolution approving final map needed.)

ACTION: Res. 77-650 adopted approving final map. (Clerk to handle)

CONSENT

21. Consider acceptance of improvements in Hollywood Park No. 1 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Norm Winsor)
(Hollywood Park No. 1 subdivision is located on the east side of Tully Road, north of Standiford. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 77-651 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

22. Consider revised Affirmative Action Program.
(Memo with agenda. Resolution adopting revised Affirmative Action Program and rescinding Resolution 74-376 needed.)

ACTION: Res. 77-652 adopting revised Affirmative Action Program. (C/Mgr to handle)

CONSENT

23. Consider request for sewer service to property outside City limits at 811 Lombardo Avenue, located on the north side of Lombardo Avenue between Bystrum Road and Romeo Avenue. (Owners: Remijio Montez and Louisa Montez)
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 77-653 adopted approving agreement. (Clerk to handle)

CONSENT

24. Consider request for sewer service to property outside City limits at 1535 Queens, located on the west side of Queens Avenue between Coolidge Avenue and Briggsmore Avenue. (Owners: Anthony V. Baca and Patricia Baca)
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City limits, however, a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 77-654 adopted approving agreement. (Clerk to handle)

26. Consider adoption of the budget for the 1977-78 fiscal year and adoption of the first year of the Four-Year Capital Improvement Program.
(A report has been prepared showing the adjustments to the Preliminary Budget which have been reviewed and recommended by the City Council, including the first year of the Four-Year Capital Improvement Program, and other adjustments based on updated information. Oridnance adopting the 1977-78 Budget, including the first year of the Capital Improvement Program needed.)

ACTION: By motion (Kullijian/Lang, unan. - Siefkin, absent) Ord. No. 1623-C.S adopting the budget for the City of Modesto for the FY ending June 30, 1978, and providing for certain transfers of funds. (Clerk to handle)

CONSENT

27. A resolution amending Resolution 69-626 to change the pay cycle for temporary part-time recreation and parking lot attendant employees.
(Memo with agenda. Resolution approving the amendment to Resolution 69-626 needed.)

ACTION: Res. 77-655 adopted changing pay cycle for termporary part-time recreation and parking lot attendant employees. (Finance to handle)

28. Presentation by Recreation Systems, Inc., of final master plan for Floyd Park.
(Master plan book with agenda. Oral report will be made at meeting. Motion approving plan needed.)

ACTION: By motion (Dunlap/Lang, unan. - Siefkin, absent) plan approved. (P & R to handle)

CONSENT

28A. Consider authorizing City of Modesto's participation in an amicus curiae brief in Jones vs. Department of Transportation and Johnson vs. State of California.
(Memo with agenda. Motion authorizing participation in amicus curiae brief needed.)

ACTION: By motion, participation authorized. (P & R to handle)

REPORTS

CONSENT

29. Information signs regarding possible closure, Veneman Avenue.
(Planning Commission recommends public notification via two signs that Veneman Avenue may be closed in the future. Memo with agenda. (Motion approving Planning Commission recommendation needed.)

ACTION: By motion, recommendation approved. (P/W to handle)

APPROPRIATION TRANSFERS

CONSENT

30. Request to transfer funds to the Equipment Replacement Reserve to help provide for the acquisition of pool items requested in the 1977-78 fiscal year and report on revised accounting procedures for the Service Division Working Capital Fund.
(Memo with agenda. Resolution transferring $200,000 from the General Fund to the Service Division Working Capital Fund needed.)

ACTION: Res. 77-656 adopted amending final budget for FY 1976-77 to transfer $200,000 from the General Fund Reserve to the Service Division Working Capital Fund Reserve. (Finance to handle)

MISCELLANEOUS

31. Legislation.

ACTION: By motion (Kullijian/Mensinger, maj. - Elliott, no - Siefkin, absent) AB 531 supported.

By motion (Kullijian/Dunlap, unan. - Siefkin, absent) AB 716 opposed.

By motion (Lang/Mensinger, unan. - Siefkin, absent) SB 146 supported. (C/Mgr to handle)

32. Appointments.

ACTION: Res. 77-657 adopted (Mensinger/Lang, unan. - Siefkin, absent) appointing Jonathan Holman to replace James Morgenson on the Personnel Commission for a term ending January 1, 1979. (Clerk to handle)

33. Matters too late for the agenda. - E.D.A. Grants/Lobbying recommendations.

ACTION: Res. 77-658 adopted (Kullijian/Elliott, unan. - Siefkin, absent) expressing concern re recent action on E.D.A. funds. (C/Mgr to handle

By motion (Kullijian/Elliott, maj. - Dunlap, no - Siefkin, absent) approving recommendations in the Manager's memo.

34. Adjourned to executive session to discuss employee relations and returned to open session at 6:55 P.M.

ACTION: Res. 77-659 adopted (Lang/Dunlap, unan. - Siefkin, absent) approving memo of understanding with Fire Fighters' Association. (Personnel to handle)

By motion (Mensinger/Lang, unan. - Siefkin, absent) salaries and fringe benefits for management and confidential employees and Council appointees approved.

Res. 77-660 adopted (Dunlap/Elliott, unan. - Siefkin, absent) adopting salary schedules effective July 5, 1977.

Res. 77-661 adopted (Lang/Mensinger, unan. - Siefkin, absent) changing "uniform allowance" to "uniform maintenance allowance" for Fire Fighters.

Res. 77-662 adopted (Lang/Mensinger, unan. - Siefkin, absent) establishing procedure for payment of uniform allowance for Police Department Personnel.

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 MONDAY, JUNE 27, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Mayor Davies
Absent: Councilmember Siefkin
(Councilmember Kullijian arrived at 8:37 P.M.)

Pledge of allegiance to the Flag.
Invocation by Reverend Jack Fix, United Brethren in Christ Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34, 36, 38
Item 20 dropped from agenda
Dunlap/Lang, unan. - Kullijian and 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 June 20, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Letter from Charles E. Jolitz resigning from the Housing Maintenance and Counseling Subcommittee.
(Resolution accepting with regret needed)

ACTION: Res. 77-663 adopted accepting resignation with regret. (Clerk to handle)

CONSENT
3. Letter from Church in the Park requesting permission to sell merchandise at Mancini Bowl and the park area going toward Needham Avenue on Saturday, August 27, 1977 from 7:00 A.M. to 6:00 P.M.
(Motion referring to staff for report and recommendations needed.)

ACTION: By motion, request referred to staff for recommendation. (P & R to handle)

BIDS

CONSENT
4. Consider declaring Pitney Bowes lowest bidder meeting City specifications and authorizing the purchase of one automatic feed-check endorser for the total price of $4,433.98.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 77-664 adopted awarding bid to Pitney Bowes. (Finance to handle)

CONSENT
5. Consider declaring Pittsburg Ford, Inc. low bidder and authorizing the purchase of two light utility pickup trucks for the total price of $8,395.69.
(Memo with agenda. Resolution authorizing purchase of trucks needed. Funds are budgeted.)

ACTION: Res. 77-665 adopted awarding bid to Pittsburg Ford, Inc. (Finance to handle)

CONSENT
6. Consider declaring Randik Paper Company the company offering the greatest discount prices for batteries and authorizing the purchase of dry-cell batteries for 51.6% off suggested retail prices.
(Memo with agenda. Resolution authorizing purchase of batteries from Randik Paper Company needed. Est. Cost: $5,000.00 City portion; funds are budgeted.)

ACTION: Res. 77-666 adopted awarding bid to Randik Paper Company. (Finance to handle)

CONSENT
7. Consider declaring Ace Wholesale, Inc. and Walkerlite Company bidders offering the greatest discounts for large and audio-photo lamps and authorizing the purchase of materials for the following list price of discounts: Ace Wholesale - Large Lamps - 71.8%
Walkerlite - Audio-Photo - 55.9%
(Memo with agenda. Resolution authorizing purchase of large lamps from Ace Wholesale needed; Resolution authorizing purchase of audio-photo lamps from Walkerlite needed. Estimated Cost: $12,800.00 City portion; funds are budgeted.)

ACTION: Res. 77-667 adopted awarding bid to Ace Wholesale, Inc. for large lamps. (Finance to handle)

Res. 77-668 adopted awarding bid to Walkerlite for audio-photo lamps. (Finance to handle)

CONSENT
8. Consider declaring Western Anti-Pollution Products low bidder and authorizing the purchase of steroid saponin for $9.85 per gallon.
(Memo with agenda. Resolution authorizing purchase needed. Estimated Cost: $83,000.00; funds are budgeted.)

ACTION: Res. 77-669 adopted awarding bid to Western Anti-Pollution Products. (Finance to handle)

CONSENT
9. Consider declaring A. B. Dick Company lowest bidder meeting City specifications and authorizing the purchase of one word processing system for the total price of $9,764.72.
(Memo with agenda. Resolution authorizing purchase needed; funds are budgeted.)

ACTION: Res. 77-670 adopted awarding bid to A. B. Dick Compnay. (Finance to handle)

CONSENT
10. Consider declaring General Electric lowest bidder meeting City specifications and authorizing the purchase of ten (10) portable radios and one battery charger for the total price of $9,785.92.
(Memo with agenda. Resolution authorizing purchase of radios and charger needed; funds are budgeted.)

ACTION: Res. 77-671 adopted awarding bid to General Electric. (Finance to handle)

CONSENT

11. Consider rejecting bids for emergency light bars and declaring R. T. Crossman lowest bidder meeting specifications and authorizing the purchase of twenty-two sound systems for the total price of $5,655.10. (Memo with agenda. Resolution rejecting bids for emergency light bars needed and resolution authorizing purchase of sound systems needed. Funds are budgeted.)

ACTION: Res. 77-672 adopted rejecting all bids submitted for emergency light bars. (Finance to handle)

Res. 77-673 adopted awarding bid to R. T. Crossman for sound systems. (Finance to handle)

CONSENT

12. Consider award of contract for the construction of Thousand Oaks Park Lighting.
(Bids were opened on June 14, 1977. The low bid of $27,725.00 submitted by Collins Electrical Company, Inc., which is 15% below the Engineer's Estimate is considered acceptable. It is therefore recommended that the contract be awarded to them. Memo with agenda. Resolution awarding contract to Collins Electrical Company, Inc. needed. Funds are budgeted.)

ACTION: Res. 77-674 adopted awarding contract to Collins Electrical Co. (P/W to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for construction of subtrunk sewer in E. Orangeburg Avenue from Christopher Court to Glenbrook Way.
(Suggested bid opening: July 12, 1977 at 11:15 A.M. This project will extend sewer service to Hillsboro East and Glenbrook Subdivisions. (Resolution approving plans and specifications and call for bids needed. Estimated Cost: $61,436 ($58,536 Contract, $2,900 Engineering); funds are budgeted. Project will be encumbered in 1977-78 Ext. Subtrunk/Perimeter Sewers.)

ACTION: Res. 77-675 adopted approving plans, specifications and bid call. (P/W to handle)

HEARINGS

14. Hearing, appeal to Planning Commission decision on rezoning south side of Sylvan Avenue (Weeks Real Estate). 7:30 P.M.

ACTION: By motion (Dunlap/Mensinger, unan. - Kullijian and Siefkin, absent) this item continued to August 8, 1977 at 7:40 P.M. (Clerk to handle)

15. Hearing, appeal by Donald Bronzich to a decision by the Public Works Department concerning his driveway approach. 7:35 P.M.

ACTION: Res. 77-676 adopted (Dunlap/Elliott, unan. - Kullijian and Siefkin, absent) approving Public Work's recommendation. (P/W to handle)

16. 13 hearings on orders to construct sidewalk, curb and/or gutter at the following locations: (Project No. 76/08/07 - 77/01/08) 7:45 P.M.

(a) Sidewalk along Tully Road at 1229 Woodman Way, Lots 8 & 9 of Block 6118-A. (Aaron H. Brock & Florence D. Daniel)

(b) Curb along Ila Way at 208 East Coolidge Avenue, Lot 7 of Block 1193-A. (Fremont Chatfield)

(c) Curb at 127 Corson Avenue, Lot 14 of Block 652. (Rosalie McLeod)

(d) Curb along Grape Avenue at 1533 Grape Avenue, Lot 1 of Block 6107. (Sam Salsi)

(e) Curb at 220 Helen Avenue, Portion of Block 619. (Hazel Young)

DROPPED

(f) Curb and sidewalk at 518 Virginia Avenue, a portion of Block 520. (Walter L. Sederquist)

(g) Curb and sidewalk at 542 Virginia Avenue, a portion of Block 520. (James Van Parks)

(h) Curb and sidewalk at 516 Virginia Avenue, a portion of Block 520. (Jimmy E. Muncy)

(i) Sidewalk at 1706 Stetson Avenue, a portion of Block 6141. (Thomas C. Blank)

(j) Sidewalk at 1712 Stetson Avenue, a portion of Block 6141. (Leonard J. Parra)

(k) Sidewalk at 1619 Albany Avenue, a portion of Block 6141. (J. V. Ard)

(l) Sidewalk at 1613 Albany Avenue, a portion of Block 6141. (Paul L. Methvin)

(m) Sidewalk at 1713 Albany, Lot 1 of Block 6141. (Walter Harold Schultz)

(n) Sidewalk at 1623 Albany Avenue, a portion of Block 6141. (James Turner)

(o) Sidewalk at 1604 Stetson Avenue, Lot 14 of Block 6141. (Dean R. Wilson)

ACTION: Res. 77-677 adopted (Elliott/Dunlap, unan. - Kullijian, and Siefkin, absent) construction ordered on all except item "e", Hazel Young's property. (P/W to handle)

By motion (Dunlap/Mensinger, unan. - Kullijian and Siefkin, absent) property at 220 Helen is to be reviewed annually and this item returned for Council consideration whenever the property has been sold to a new owner. (P/W to handle)

17. Hearing, Public Projects Committee's recommendations on financing local school district. 7:50 P.M.

ACTION: By motion (Elliott/Lang, maj. - Dunlap, no - Siefkin, absent) approving Committee recommendation, except section "7a" would read "Cost per dwelling unit to be determined."

By motion (Kullijian/Mensinger, unan. - Siefkin, absent) continuing discussion re the ordinance to July 11, 1977.

18. Matters for the good of the community. 7:55 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT
19. Final adoption of Ord. No. 1622-C.S. amending parking meter zoning map.
(Motion adopting Ord. No. 1622-C.S. needed.)

ACTION: By motion, Ord. No. 1622-C.S. adopted. (Clerk to handle)

NEW BUSINESS

20. Consider renewal of agreement between City of Modesto and University of California, Albany, to provide a biological pest control program for the City's street trees.
(Resolution approving agreement needed. Estimated Cost: $10,000; funds are budgeted.)

DROPPED FROM AGENDA

CONSENT
21. Approval of Citizens Housing and Community Development Committee recommendations regarding the Neighborhood Upgrade Items for the Housing Maintenance Program; 1) Paint Rebate Program; 2) Architectural Renderings Service.
(Memo with agenda. Motion approving recommendations needed.)

ACTION: By motion, recommendations approved. (Planning to handle)

CONSENT
22. Consider accepting check from Omega Nu.
(Phi Gamma Chapter of Omega Nu has given the City a check for $1,400 toward the McHenry Mansion Restoration Project. The check has been deposited in trust. Resolution accepting check and thanking Phi Gamma Chapter of Omega Nu for gift needed.)

ACTION: Res. 77-678 adopted accepting check and thanking Phi Gamma Chapter of Omega Nu for gift. (Clerk to handle)

CONSENT
23. Consider free on-street parking on Saturdays.
(Memo with agenda. The present free parking authorization expires on July 1, 1977. It is recommended that free on-street parking be extended indefinitely. Motion directing Police not to enforce on-street parking meters on Saturdays needed.)

ACTION: By motion, Police directed not to enforce parking meters on Saturdays. (Police to handle)

CONSENT
24. Consider new lease agreement for 9th and J parking lot.
(Memo with agenda. A new agreement has been drawn to allow the owner to open a drive through to the City-owned attendant lot in the evenings when the attendant lot is not operated. Resolution approving agreement needed.)

ACTION: Res. 77-679 adopted approving agreement. (P & T to handle)

CONSENT

25. Consider abandonment of a triangular portion of Scenic Drive right of way east of Sonoma Avenue.
(Memo with agenda. Resolution vacating and abandoning a portion of Scenic Drive east of Sonoma Avenue needed.)

ACTION: Res. 1351-S.P. adopted vacating and abandoning a portion of Scenic Drive east of Sonoma Avenue. (Clerk to handle)

CONSENT

26. Consider resolution waiving escalation of bond redemption charges for residential, commercial, and industrial properties for fiscal year 1977-78.
(Annually the City must take action concerning escalation of bond redemption charges for sewer service. It is recommended that escalation of those charges be waived for fiscal year 1977-78. Memo with agenda. Resolution waiving escalation of bond redemption charges for fiscal year 1977-78 needed.)

ACTION: Res. 77-680 adopted waiving escalation of bond redemption charges for fiscal year 1977-78. (P/W to handle)

CONSENT

27. Consider approval of the final map of the Persian Terrace 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. (Subdivider: U. S. By-Products, Inc.)
(The subdivision agreement has been signed and all fees paid. Persian Terrace No. 2 subdivision is located on the north side of Floyd Avenue east of Zarand Drive. It contains 13.910 acres. Resolution approving final map needed.)

ACTION: Res. 77-681 adopted approving final map. (Clerk to handle)

CONSENT

28. Consider approval of the final map of the Glenbrook 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. (Subdivider: Sutco Construction, Inc.)
(The subdivision agreement has been signed and all fees paid. Glenbrook subdivision is located on the south side of East Orangeburg Avenue, west of Claus Road. It contains 12.313 acres. Resolution approving final map needed.)

ACTION: Res. 77-682 adopted approving final map. (Clerk to handle)

CONSENT

29. Consider acceptance of improvements in Hyde Park No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: C. A. Tallent)
(Hyde Park No. 2 subdivision is located on the north side of Sylvan Avenue, west of Rexford Drive. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 77-683 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

30. Consider acceptance of improvements in Wyldewood Meadow No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: John D. Wylie)
(Wyldewood Meadow No. 2 subdivision is located north of Scenic Drive west of Claus Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 77-684 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

31. Consider acceptance of improvements in Wyldewood Meadow No. 4 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Troy L. Harris)
(Wyldewood Meadow No. 4 subdivision is located south of E. Orangeburg Avenue, west of Claus Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 77-685 adopted accepting improvements as complete. (Clerk to handle)

32. Consider establishing policy concerning the responsibility for construction costs of new canal crossings in conjunction with subdivision development.
(There is a need to establish a City policy on financial responsibility for construction of new crossings of M.I.D. canals. Recommendations by the staff are contained in a memorandum being distributed with the agenda. Also distributed with the agenda is a letter from the Construction Industry Liaison Committee dealing with this same subject. Motion directing staff to prepare necessary documents to establish policy on financial responsibility for constructing canal crossings needed.)

ACTION: By motion (Lang/Kullijian, maj. - Mensinger, no - Siefkin, absent) staff to prepare documents setting policy that City will pay underground costs and developer to pay for street work. (C/Atty/P/W to handle)

CONSENT

33. Consider approving agreement for preparation of Phase III Master Plan for Tuolumne River Regional Park.
(Agreement provides that John Sue Associates will prepare a master plan for Phase III of the Tuolumne River Regional Park for a lump sum not to exceed $35,000. The area included in the plan consists of that portion of the Tuolumne River Regional Park located on the north side of the Tuolumne River and immediately east of Ohio Street, west of the City of Modesto sewage treatment plant and south of the existing residential property in the City of Modesto. The area is approximately 185 acres. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 77-686 adopted approving agreement. (P & R to handle)

CONSENT

34. Consider amended grant agreement between the City of Modesto and the State of California for assistance in Clear Zone Land Acquisition purchase costs at the Modesto City-County Airport/Harry Sham Field.
(The State Division of Aeronautics has agreed to increase the State's share of the land acquisition costs and an amended grant agreement has been prepared. Memo with agenda. Resolution approving amended grant agreement needed.)

ACTION: Res. 77-687 adopted approving agreement. (P/W to handle)

REPORTS

35. Consider staff report on complaint by Calvin Boyd regarding operation of ice cream truck.
(Memo with agenda. Motion accepting report needed.)

ACTION: By motion (Kullijian/Dunlap, unan. - Siefkin, absent) accepting report.

CONSENT

36. Report on Pelton Area Project with the County: neighborhood upgrade, annexation, Housing Maintenance Program.
(The City's Third Year Community Development Block Grant application included this 7-block project, a city-county joint venture. The memo with the agenda explains details of County-City-Property Owner participation culminating in an inhabited annexation election on June 6, 1978. Motion approving the project in concept and directing staff to proceed with implementation needed. Community Development Block Grant funds are available, most of which will be expended in 1978-79.)

ACTION: By motion, project approved and staff directed to proceed. (Planning to handle)

37. Consider report by City staff on what changes could be made to Zoning, Building and Fire Codes which regulate buildings used for day care of children.
(The Stanislaus Day Care Association requested this information when its representatives appeared before the Council at the May 23, 1977 meeting. Memo with agenda. Motion accepting report needed.

ACTION: By motion (Elliott/Dunlap, maj. - Kullijian, no - Siefkin, absent) staff to suspend action until the 1976 Codes are adopted by the Council. (P/W to handle)

APPROPRIATION TRANSFERS

CONSENT

38. Consider request for transfer of $5,900 from the General Fund General Reserve to the "Advertising, Legal & Other" account in the City Clerk and Auditor's Office budget.
(Additional funds are needed due to the extremely high number of rezoning hearings, appeals, ordinances (including the lengthy sign ordinance) and other legal ads which the City is required to publish, and because of advertising in connection with the Conflict of Interest Codes and Environmental Assessment Committee meetings, not anticipated when the budget was prepared. Resolution approving appropriation transfer needed.)

ACTION: Res. 77-688 adopted approving appropriation transfer of $5,900 from Account 600-101 to Account 230-140-101. (Finance to handle)

MISCELLANEOUS

39. Legislation.

NONE

40. Appointments.

ACTION: Res. 77-689 adopted (Lang/Kullijian, inan. - Siefkin, absent) Ricahrd Belt appointed to Culture Commission, replacing Jim Madison, for a term ending January 1, 1978. (Clerk to handle) consideration of
(Councilmember Mensinger was excused from/this item due to a conflict of interest)

Res. 77-692 adopted (Dunlap/Lang, unan. - Mensinger and Siefkin, absent) Merle Mensinger reappointed to D.I.D. Advisory Board and appointed Chairman of the D.I.D. for a term ending March 28, 1981. (Clerk to handle)

41. Matters too late for the agenda.

ACTION: Res. 77-690 adopted (Dunlap/Mensinger, unan. - Siefkin, absent) revising Position Classification Plan. (Personnel to handle)

Res. 77-691 adopted (Dunlap/Mensinger, unan. - Siefkin, absent) amending Exhibit "F" of Resolution 77-660. (C/Atty to handle)

Adjourned at 12:30 A.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Special Meeting
Modesto City Council
Friday, July 1, 1977

The City Council of the City of Modesto met in Special Meeting Friday, July 1, 1977 at 1:30 P.M. in the Law Library, Third Floor, City Hall, 801 - 11th Street, Modesto, California.

Present: Councilmembers Dunlap, Elliott, Lang, Mensinger, Mayor Davies

Absent: Councilmembers Kullijian and Siefkin

The City Council met with Senator George Zenovich and Assemblyman John Thurman. There was a general discussion of State legislation and E.D.A. funding of public works projects.

The meeting adjourned at 3:30 P.M. to 10:00 A.M., Tuesday, July 5, 1977, in the City Hall Law Library.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

7/1/77

Adjourned Special Meeting
Modesto City Council
Tuesday, July 5, 1977

The City Council of the City of Modesto met pursuant to adjournment at 10:00 A.M. in the Law Library, City Hall, 801 - 11th Street, Modesto, California.

Present: Councilmembers Dunlap, Elliott, Lang, Mensinger, Mayor Davies

Absent: Councilmembers Kullijian and Siefkin

The City Council met with Congressman John McFall. There was a general discussion of federal legislation and E.D.A. financing of public works projects.

The meeting adjourned at 11:30 A.M. to 12:00 noon, Saturday, July 9, 1977 at the Sundial Restaurant, 806 McHenry Avenue, Modesto, California.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 5, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Mayor Davies
Absent: Councilmember Siefkin

Pledge of allegiance to the Flag.
Invocation by Reverend Ross Briles, Sherwood Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items: 1, 2, 3, 5, 6, 7, 8, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26
Item 27 dropped from agenda
Lang/Dunlap, 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 minutes of regular meeting of June 27, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Letter from Irwin Steinpress appealing the Planning Commission's decision concerning prezoning of property at the southwest corner of Woodland and Carpenter, Woodland Plaza.
(Resolution setting hearing for August 8, 1977 at 7:45 P.M. needed.)

ACTION: Res. 77-693 adopted setting hearing. (Clerk to handle)

CONSENT
3. Letter from Charles J. Peluso on behalf of Guckenheimer Enterprises, Inc., appealing the Board of Zoning Adjustment decision regarding a free-standing sign on McHenry north of Rumble.
(Resolution setting hearing for July 18, 1977 at 4:10 P.M. needed.)

ACTION: Res. 77-694 adopted setting hearing. (Clerk to handle)

4. Letter from residents near Sherwood Park regarding park development.

ACTION: By motion (Dunlap/Lang, unan. - Siefkin, absent) staff directed to study the matter and report back on possible ways of solving the problems, including recommendations re curfew, lights, patrol, and the parking lot. (P & R to handle)

BIDS

CONSENT

5. Consider award of contract for construction of improvements on Beyer Park Drive, Forest Glenn Drive and Sylvan Meadows Drive at Beyer Park and improvements on Niabell Place at Sylvan Park. (Bids were opened June 28, 1977. The low bid of $44,678.45 submitted by George Reed, Inc. is 14.95% below the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to George Reed, Inc. needed. Estimated Cost: $47,305.95 (Constr. $44,678.45, Engr. $2,627.50); funds are budgeted.)

ACTION: Res. 77-695 adopted awarding contract to George Reed, Inc. (P/W to handle)

CONSENT

6. Consider award of contract for construction of waterline extension in McHenry Avenue between Woodrow Avenue and 470' south. (Bids were opened June 28, 1977. The low bid of $7,202.50 submitted by Mac's Backhoe Service is 34% above the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. This project was bid on June 7, 1977 and rejected due to a single low bid of $10,750 which was 100% above the Engineer's Estimate. Therefore, based on the bid of June 7, 1977, and the current bids, the Engineer's Estimate appears low, and Mac's Backhoe Service bid appears reasonable. Resolution awarding contract to Mac's Backhoe Service needed. Estimated Cost: $7,202.50; funds are budgeted.)

ACTION: Res. 77-696 adopted awarding contract to Mac's Backhoe Service. (P/W to handle)

CONSENT

7. Consider rejecting all bids for construction of waterlines in E Street, Burney Street, Walden Street, James Street, Jennie Street, and Groveland Street.
(Bids were opened June 21, 1977. The low bid of $101.727.00 submitted by Western Pipeline Co. is 83% above the Engineer's Estimate and is not considered acceptable. It is recommended that all bids be rejected. The project will be rebid in the winter months in order to obtain more competitive bids. Resolution rejecting bids needed.)

ACTION: Res. 77-697 adopted rejecting all bids. (P/W to handle)

CONSENT

8. Consider rejecting all bids for construction of waterlines in Sylvan Meadows East No. 4, Sylvan Meadows East No. 5, Vintage Faire No. 2, Woodglen Park No. 2, and authorize a new call for bids. (Suggested bid opening: July 19, 1977 at 11:00 A.M. Bids were opened on June 21, 1977. The low bid of $140.751.45 submitted by Joe Martin is 27% above the Engineer's Estimate and is not considered acceptable. The Engineer's Estimate appears reasonable, and it is felt that lower bids can be obtained. It is therefore recommended that all bids be rejected and that the project be rebid. Resolution rejecting bids and authorizng a new call for bids. Estimated Cost: $130,437 ($111,137 Contract, $19,300 Engr. & Materials); funds are budgeted.)

ACTION: Res. 77-698 adopted rejecting all bids and authorizing new call for bids. (P/W to handle)

HEARINGS

9. Hearing on annexation of Capitol Drive Addition to Modesto Municipal Sewer District No. 1. 4:00 P.M.

ACTION: Res. 77-699 adopted (Dunlap/Elliott, unan. - Siefkin, absent) annexing Capitol Drive Addition to Modesto Municipal District No. 1. (Clerk to handle)

10. Hearing on annexation of North Rexford Addition to Modesto Municipal Sewer District No. 1. 4:05 P.M.

ACTION: Res. 77-700 adopted (Dunlap/Elliott, unan. - Siefkin, absent) annexing North Rexford Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

11. Hearing on amendments to Zoning Regulations, In Lieu Parking Payments. 4:10 P.M.

ACTION: By motion (Elliott/Mensinger, maj. - Dunlap & Kullijian, no - Siefkin, absent) Ord. No. 1624-C.S. introduced amending Modesto Municipal Code relating to In Lieu Parking Payments. (Clerk to handle)

12. Hearing on amendment to Section 21-3-9 of the Zoning Map to rezone from R-1 to P-O, property west of Coffee and north of Fairmont. (Earl H. Warner, Jr.) 4:15 P.M.

ACTION: By motion (Lang/Elliott, unan. - Siefkin, absent) Ord. No. 1625-C.S. introduced amending Section Map 21-3-9 of the Zoning Map. (Clerk to handle)
(Lang/Elliott, unan. - Siefkin, absent)
Res. 77-701 adopted/directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

13. Hearing on amendment to Section 9-3-9 of the Zoning Map to rezone from R-1 to P-O, property located at northwest corner of Coffee and Sylvan. (Haig Berberian) 4:20 P.M.

ACTION: By motion (Lang/Elliott, unan. - Siefkin, absent) Ord. No. 1626-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-702 adopted (Lang/Elliott, unan. - Siefkin, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

14. Matters for the good of the community. 4:25 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

15. Recommend additions to Chapter 4 of Title IV of the Modesto Municipal Code - Subdivision Regulations.
(On June 21, 1977, the Planning Commission adopted Resolution No. 77-109 recommending to the Council additions to Chapter 4 of Title IV of the Modesto Municipal Code pertaining to subdivision regulations (public improvements). Introduction of ordinance amending the subdivision regulations and adoption of resolution certifying review of environmental assessment needed.)

CONSENT
15. Recommend additions to Chapter 4 of Title IV, continued.

ACTION: By motion, Ord. No. 1627-C.S. introduced amending the Modesto Municipal Code relating to subdivision regulations. (Clerk to handle)

Res. 77-703 adopted directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

NEW BUSINESS

CONSENT
16. Consider authorizing the City Manager and City Clerk to sign a Joint Powers Agreement for the operation of the Stanislaus Drug Enforcement Agency for fiscal year 1977-78.
(Memo with agenda. Resolution authorizing City Clerk and City Manager to sign a Joint Powers Agreement with Stanislaus County and the cities of Oakdale, Riverbank, Ceres, Newman, and Patterson to operate the SDEA. Est. Cost: $156,029; funds are budgeted.)

ACTION: Res. 77-704 adopted approving agreement. (Clerk to handle)

CONSENT
17. Consider free off-street parking on Saturdays.
(Memo with agenda. The Downtown Improvement District requested and the staff recommends free off-street parking on Saturdays to be in accord with already authorized free on-street parking. Motion directing Police not to enforce off-street parking on Saturdays needed.)

ACTION: By motion, Police directed not to enforce off-street parking provisions on Saturdays. (Police to handle)

CONSENT
18. Consider implementation of Acting Sergeants' pay.
(It is necessary to amend the salary resolution to add a section to provide for Acting Sergeants' pay. Memo with agenda. Resolution amending salary resolution to provide for Acting Sergeants' pay needed.)

ACTION: Res. 77-705 adopted amending salary resolution to provide for Acting Sergeants' pay. (Personnel to handle)

CONSENT
19. Consider approval of the final map of the Lincoln Square No. 5 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. (Subdivider: First California Mortgage Company)
(The subdivision agreement has been signed and all fees paid. Lincoln Square No. 5 subdivision is located east of Mark Todd Lane north of Yosemite Boulevard. It contains 9.675 acres. Resolution approving final map needed.)

ACTION: Res. 77-706 adopted approving final map. (Clerk to handle)

CONSENT
20. Consider the establishment of sign permit fees.
(The sign regulations specify that the fees for sign permits shall be established by City Council resolution from time to time. The new sign regulations require updating of the existing fee structure. There is no change in existing fees; a $3.00 fee for change of copy of a sign is established. Proposed resolution with agenda. Resolution establishing sign permit fees needed.)

ACTION: Res. 77-707 adopted establishing sign permit fees. (Planning to handle)

CONSENT

21. Renew agreement with Modesto Reds Baseball Club, Inc.
(The 5-year agreement with the Modesto Reds Baseball Club, Inc., has terminated as of January 1, 1977, and this will renew the agreement for a period of one year. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 77-708 adopted approving agreement. (P & R to handle)

By Order of the Chair, staff to report to Council on the procedures followed in renewing agreements. (C/Mgr to handle)

CONSENT

22. Consider request for sewer service to property outside City limits at 1509 Rose Avenue, located on Rose Avenue, north of E. Coolidge Avenue. (Owners: Samuel C. Smith and Esther A. Smith)
(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. 77-709 adopted approving agreement. (Clerk to handle)

CONSENT

23. Requirement for construction of curbs and/or sidewalks at the location listed below:
(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 4:05 P.M. on July 18, 1977 for hearings needed.)
(Project No. 76/09/07 - 76/11/10)

(a) Sidewalk at 1644 Pearl Street, Lots 1 and 2 of Block 6081. (Minnie Woo)

(b) Sidewalk at 1628 Pearl Street, Lot 24 of Block 6081. (Andrew Van Dyk)

(c) Sidewalk along Pearl Street at 1601 Pearl Street, Lot 16 of Block 6109. (Lloyd E. Loeb)

(d) Sidewalk at 1629 Pearl Street, Lot 9 of Block 6109. (Glen E. Kern)

(e) Sidewalk at 1605 Pearl Street, Lot 15 of Block 6109. (Roy M. Fleming)

(f) Sidewalk at 1624 Pearl Street, Lot 23 of Block 6081. (Erma F . Colwell)

(g) Sidewalk at 1549 Pearl Street, Lot 2 of Block 6112. (Tony Cannizaro)

(h) Sidewalk at 1535 Teresa Street, Lot 6 of Block 6080. (Walter P. Wesson, Sr.)

(i) Sidewalk at 1625 Teresa Street, Lot 10 of Block 6081. (Virgil L. Trammell)

(j) Sidewalk along Teresa Street at 1416 Del Vale Avenue, Lot 28 of Block 6079. (Karen Smith)

(k) Sidewalk at 1425 Teresa Street, Lot 4 of Block 6083. (Rob Roy Phillips, Sr.)

(l) Sidewalk at 1504 Teresa Street, Lot 16 of Block 6079. (Donald H. Harper)

CONSENT
23. Requirement for construction of curbs and/or sidewalks, continued.

(m) Sidewalk at 1621 Teresa Street, Lot 11 of Block 6081. (Merle Hart)

(n) Sidewalk at 1617 Teresa Street, Lot 12 of Block 6081. (R. E. Grant)

(o) Sidewalk along Teresa Street at 1424 Del Vale Avenue, Lot 1 of Block 6080. (Virgil R. Daniel)

(p) Sidewalk at 1520 Teresa Street, Lot 20 of Block 6079. (Carl E. Cripe)

(q) Sidewalk at 1549 Teresa Street, Lot 2 of Block 6080. (Charles Sherrick)

ACTION: Res. 77-710 adopted setting hearing. (Clerk to handle)

CONSENT
24. Report on golf rates suggesting increases to become effective August 1, 1977, and recommending informal public hearing for July 18, 1977 at 4:15 P.M.
(Memo with agenda. Resolution setting hearing for July 18, 1977 at 4:15 P.M. needed.)

ACTION: Res. 77-711 adopted setting hearing. (Clerk to handle)

REPORTS

CONSENT
25. Consider report on a United Air Lines, Inc. proposed fare increase. (The City has been notified that the State of California Public Utilities Commission has received an application from United Air Lines, Inc., for authority to increase intra-state passenger fares. The staff has reviewed this application and it is recommended the City remain neutral on this matter as this fare increase does not appear out of line with the rise in the consumer price index. Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT
26. Pedestrian-bicycle overpass over Standiford Avenue between Conant Avenue and Hahn Drive.
(On June 7, 1977, the Planning Commission adopted Res. No. 77-106 recommending to the City Council that a pedestrian-bicycle overpass be permitted to be constructed over Standiford Avenue between Conant Avenue and Hahn Drive. Motion approving the concept of a pedestrian-bicycle overpass over Standiford Avenue at school district's cost needed.)

ACTION: By motion, concept approved. (Planning to handle)

27. Consider agreement between the City of Modesto and the City of Ceres concerning sewer service to the area between Hatch Road and the Tuolumne River east of South 9th Street.
(It is desirable that the City of Ceres operates the sewage collection system in the area between Hatch Road and the Tuolumne River east of South 9th St., with the City of Modesto being responsible for the treatment of sewage collected from this area. The proposed agreement establishes the responsibilities of both parties. Memo with agenda. Resolution authorizing City Manager to execute agreement needed.)

DROPPED FROM AGENDA

MISCELLANEOUS

28. Legislation.

NONE

29. Appointments.

NONE

30. Matters too late for the agenda.

ACTION: By motion (Dunlap/Mensinger, maj. - Lang & Kullijian, no - Siefkin, absent) item regarding canal crossings to be placed on a near future Council agenda for further consideration. (P/W to handle)

Councilmember Kullijian asked for information on costs of paving McHenry Avenue at night as opposed to daytime costs. (P/W to handle)

Res. 77-712 adopted (Dunlap/Lang, unan. - Siefkin, absent) accepting improvements in Flintridge Estates No. 3 subdivision as complete. (Clerk to handle)

Adjourned at 5:25 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Adjourned Special Meeting
Modesto City Council
Saturday, July 9, 1977

The City Council of the City of Modesto met pursuant to adjournment at 12:00 o'clock noon at the Sundial Restaurant, 806 McHenry Ave., Modesto, California.

Present: Councilmembers Dunlap, Elliott, Lang, Mensinger

Absent: Councilmembers Kullijian, Siefkin, Mayor Davies

The City Council met with Congressman B. F. Sisk. There was a general discussion of federal legislation and E.D.A. financing of public works projects.

The meeting adjourned at 2:00 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 11, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Mayor Davies
Absent: Councilmember Siefkin

Pledge of allegiance to the Flag.
Invocation by Reverend C. Stover, College Avenue Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 15, 16, 17, 18, 20, 21
Items 13 and 19 removed from consent
Lang/Mensinger, 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 minutes of the special meeting of Friday, July 1, 1977, the adjourned special meeting of Tuesday, July 5, 1977, and the regular meeting of Tuesday, July 5, 1977.
(Motion approving minutes needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Request from Downtown Improvement District for permission to hold a sidewalk sale July 14 - 16, 1977.
(Resolution approving request needed.)

ACTION: Res. 77-713 adopted approving request. (Planning to handle)

CONSENT
3. Appeal by Mid-Valley Engineering to Planning Commission decision concerning Zagaris P-D application - Woodland Avenue Duplexes.
(Resolution setting hearing August 8, 1977 at 7:50 P.M. needed.)

ACTION: Res. 77-714 adopted setting hearing. (Clerk to handle)

CONSENT
4. Appeal by Fanny S. Moreno to a Planning Commission decision regarding prezoning property at the northwest corner of Carver Road and Sheldon Drive to R-2.
(Resolution setting hearing August 1, 1977 at 4:05 P.M. needed.)

ACTION: Res. 77-715 adopted setting hearing. (Clerk to handle)

CONSENT
5. Appeal by Sign Designs, Inc. to a decision of Board of Zoning Adjustment regarding a request for a freestanding sign for John Bettencourt Used Cars.
(Resolution setting hearing August 1, 1977 at 4:15 P.M. needed.)

ACTION: Res. 77-716 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for construction of restroom facilities at Chrysler Park. (Suggested bid opening date: July 26, 1977 at 11:00 A.M. This construction has been budgeted to provide improvements consisting of the construction of a restroom facility at Chrysler Park. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $38,572.80 (Const. $36,965.60; Engr. $1,607.20); funds are budgeted.)

ACTION: Res. 77-717 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for construction of waterlines in Braden Avenue, east of Dale Road, Oakdale Road between E. Orangeburg and Nystrom Avenue, and Sherwood Plaza.
(Suggested bid opening: July 26, 1977 at 11:05 A.M.

Costs and Revenue:	Braden Avenue	Oakdale Road	Sherwood Plaza
Construction	$8,631.25	$8,320.00	$4,455.00
Connection Charges			1,980.00
Net Revenue			157.00

Resolution accepting plans and specifications and call for bids needed. Estimated Cost: $22,256.25 ($20,576.25 Contract; $1,680 Engr. & Mat'ls.) Funds are budgeted.)

ACTION: Res. 77-718 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for construction of Fire Station No. 1 annex and authorize City Manager to sign agreement with P.G. & E. to relocate gas service. (Suggested bid opening date: August 9, 1977 at 11:00 A.M. The annex is needed for the ladder truck that was recently purchased. Resolution approving plans and specifications and call for bids and resolution authorizing City Manager to sign agreement with P.G. & E. needed. Est. Cost: $179,090 ($165.060 Construction; $14,030 Architect); funds are budgeted.)

ACTION: Res. 77-719 adopted approving plans, specifications and bid call.

Res. 77-720 adopted approving agreement. (P/W to handle)

CONSENT

9. Consider award of contract for construction of improvements at the intersection of Sylvan Avenue and Coffee Road. (Bids were opened July 5, 1977. The low bid of $33,804.00 submitted by Ferrero Electric, Inc. is 32.39% below the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. The Engineer's Estimate was revised upward to $50,000 subsequent to call for bids and prior to bid opening. Resolution awarding contract to Ferrero Electric, Inc. needed. Estimated Cost: $42,804 ($33,804 Construction; $6,000 Engr. & Insp.; $3,000 Interconnection; funds are budgeted.)

ACTION: Res. 77-721 adopted awarding contract to Ferrero Electric, Inc. (P/W to handle)

307-66

HEARINGS

10. Hearing on amendment to Section 8-3-9 of the Zoning Map to rezone from R-1 to P-D, property located west of Tidewater tracks and north of Standiford. (Allen Grant, Inc.) 7:30 P.M.

ACTION: By motion (Kullijian/Dunlap, unan. - Siefkin, absent) Ord. No. 1628-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-772 adopted (Kullijian/Dunlap, unan. - Siefkin, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

Res. 77-723 adopted (Kullijian/Dunlap, unan. - Siefkin, absent) approving development plan P-D(163). (Planning to handle)

11. Hearing on amendments to Land Use and Circulation Elements of the Modesto Urban Area General Plan. 7:35 P.M.

ACTION: Res. 77-724 adopted (Lang/Elliott, unan. - Siefkin, absent) adopting amendments to Land Use and Circulation Elements of the Modesto Urban Area General Plan. (Planning to handle)

Res. 77-725 adopted (Lang/Elliott, unan. - Siefkin, absent) directing Director of Planning and Community Developement to file Notice re Environmental Review. (Planning to handle)

12. Matters for the good of the community. 7:40 P.M.
(These may be presented by interested persons in the audience)

NONE

UNFINISHED BUSINESS

13. Request by Church in the Park to sell merchandise at Mancini Bowl. (Memo with agenda. Motion approving recommendation to continue the policy of prohibiting fund raising activities in the parks needed.)

ACTION: By motion (Elliott/Mensinger, unan. - Siefkin, absent) present policy to be continued. (P & R to handle)

14. Further consideration of proposed policy on school financing. (Copies of letters from Stanislaus County School Boards Association and Denair Area Taxpayers Association with agenda. A report is being prepared by staff.)

ACTION: By motion (Dunlap/Kullijian, unan. - Siefkin, absent) to continue the discussion to 7:30 P.M., Monday, July 18, 1977.

NEW BUSINESS

CONSENT

15. Reclassification of Parks Maintenance Worker I to Parks Maintenance Supervisor I.
(Memo with agenda. Motion approving reclassifications from Parks Maintenance Worker I to Parks Maintenance Supervisor I, and resolution approving appropriation transfer of $6,000 to cover cost of this reclassification needed. Estimated Cost: $6,000.)

ACTION: By motion, reclassification approved. (Personnel to handle)

Res. 77-726 adopted approving appropriation transfer of $6,000 from Account 60-800-101 to Account 110-350-101). (Finance to handle)

CONSENT
16. Consider amendment to City-County Fixed Route Transit agreement.
(Memo with agenda. The amendment clears the method for computing the cost split between City and County for bus service. Resolution approving amendment needed.)

ACTION: Res. 77-727 adopted approving agreement. (P & T to handle)

CONSENT
17. Request by residents of the proposed Sutter-Colorado Addition (Inhabited) to annex to the City of Modesto.
(The area is bounded on the north by the northern property lines of the parcels on the north side of Pelton Avenue, on the east by Colorado Avenue, on the south by the existing corporate City limits south of Garden Avenue and on the west by Sutter Avenue, and is approximately 41 acres in size and contains 175 parcels. There are 167 single family dwelling units, 1 duplex, 1 triplex, 1 well site and 1 grocery store within the proposed annexation area. The area is bounded by the corporate City limits on the east, south and west. The area can be served by City sanitary sewers. Del Este Water Company currently serves the area with water service. The area is within the Burbank-Paradise Fire Protection District, from which it will be withdrawn and in the Modesto City School District, in which it will remain. Additional information will be gathered if it is referred to the Planning Commission. Resolution referring to Planning Commission needed.)

ACTION: Res. 77-728 adopted referring annexation to the Planning Commission. (Planning to handle)

CONSENT
18. Resolution certifying to the Board of Supervisors of the County of Stanislaus the amount of money needed by the City of Modesto for the payment of principal and interest on bonds of the Modesto Municipal Sewer District #1.
(Memo with agenda. Resolution needed.)

ACTION: Res. 77-729 adopted certifying to the Board of Supervisors of the County of Stanislaus the amount of money needed by the City for the payment of principal and interest on bonds of the Modesto Municipal Sewer District No. 1. (Clerk to handle)

19. Renewal of City's liability insurance coverage; report of annual premium for basic and umbrella liability; and consideration for partial liability self-insurance.
(Memo with agenda. Resolution authorizing liability insurance coverage for the City of Modesto needed.)

ACTION: Res. 77-730 adopted (Kullijian/Mensinger, unan. - Siefkin, absent) authorizing liability insurance coverage as recommended.
(Finance to handle)

CONSENT
20. Consider recommendation that changes be made in the Personnel Rules concerning holidays and continuous examinations.
(Memo with agenda. Resolution approving changes in Personnel Rules needed.)

ACTION: Res. 77-731 adopted approving changes in Personnel Rules. (Personnel to handle)

REPORTS

CONSENT

21. Recommend to Council amendment to Section 16-3-9 of the Zoning Map - Wayne Pack, D.C.
(On June 28, 1977, the Planning Commission adopted Res. 77-113 recommending to the City Council an amendment to Section 16-3-9 of the Zoning Map to rezone from R-1 to P-O, property located on the west side of Coffee Road north of Athens Avenue. Resolution setting public hearing at 4:10 P.M. on August 1, 1977 needed.)

ACTION: Res. 77-732 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

22. Legislation.

NONE

23. Appointments.

NONE

24. Matters too late for the agenda.

ACTION: Ross Campbell reported that the City had received approval of a grant of $485,000, 50% of the cost, to construct the Dryden Trunk Sewer.

Res. 77-733 (Elliott/Lang, unan. - Siefkin, absent) rescheduling the appeal by Guckenheimer Enterprises, Inc., concerning a decision by the Board of Zoning Adjustment regarding a freestanding sign to August 1, 1977 at 4:20 P.M.

Adjourned at 10:07 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 18, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Mayor Davies
Absent: Councilmember Siefkin

Pledge of Allegiance to the Flag.
Invocation by Reverend Louis Dykstra, Christian Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 7, 8, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27
Dunlap/Lang, 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 minutes of the special adjourned meeting of Saturday, July 9, 1977, and the regular meeting of Monday, July 11, 1977. (Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Appeal by N. S. Development Co. to a decision by the Planning Commission regarding rezoning from R-2 to P-D, property located east of McHenry between E. Fairmont and Corson Avenue. (Resolution setting hearing on August 22, 1977 at 7:30 P.M. needed.)

ACTION: Res. 77-734 adopted setting hearing. (Clerk to handle)

3. Letter from Modesto Civic Theatre requesting City assistance in the production of Shakespeare-in-the-Park by providing services such as electrical work for lighting, storage facility, use of Mancini Bowl and traffic control.

ACTION: By motion (Elliott/Kullijian, unan. - Siefkin, absent) request referred to staff for report by Monday, July 25, on what the costs and financial obligations would be. (P & R to handle)

3A. Letter from Downtown Improvement District regarding alleys in the downtown core.

ACTION: By motion (Elliott/Kullijian, unan. - Siefkin, absent) referred to staff for report and recommendation. (P/W to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for installation of Downey Park play area equipment.
(Suggested bid opening date: August 9, 1977 at 11:05 A.M. This construction has been budgeted to provide for the installation of playground equipment at Downey Park. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $38,973 (Const. $36,487; Engr. $1,586); funds are partially budgeted. Additional funds will be requested after bids have been received and opened to determine exact amount of transfer, if necessary.)

ACTION: Res. 77-735 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

5. Consider award of contract for air conditioning system of Fire Station No. 1.
(Bids were opened on July 12, 1977. The low bid of $64,938, submitted by Dwight Lang's Enterprises, Inc., which is 8% over the Engineer's Estimate is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding contract to Dwight Lang's Enterprises, Inc. needed. Funds are budgeted.)

ACTION: Res. 77-736 adopted awarding contract to Dwight Lang's Enterprises, Inc. (P/W to handle)

CONSENT

6. Consider award of contract for construction of subtrunk sewer in East Orangeburg Avenue from Christopher Ct. to Glenbrook Way.
(Bids were opened on July 12, 1977. The low bid of $58,000, submitted by Western Pipeline Company is 1% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Western Pipeline Co., Inc. needed. Funds are budgeted.)

ACTION: Res. 77-737 adopted awarding contract to Western Pipeline Co. (P/W to handle)

CONSENT

7. Consider approval of revised specifications and authorize call for bids to be opened August 9, 1977, at 2:00 P.M. for furnishing 26 emergency light bars for police patrol cars.
(New equipment to replace electrical/mechanical devices currently installed in the City's police car fleet. Original specifications and call for bids produced only one qualified bidder; with minor revisions in specifications it is anticipated by staff a more economical light bar could be purchased without jeopardizing operations. Resolution authorizing call for bids needed. Estimated Cost: $7,200; funds are budgeted.)

ACTION: Res. 77-738 adopted approving revised specifications and call for bids. (Finance to handle)

CONSENT

8. Consider acceptance of George Reed, Inc.'s contract for construction of Revard Park, Stage I. Original contract $52,685.
(All work on this project has been completed to the satisfaction of the Public Works and Parks 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: Contract $55,783; funds are budgeted.)

ACTION: Res. 77-739 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

9. Hearing on orders to construct sidewalk, curb and/or gutter at the following locations: (Project No. 76/09/07 - 76/11/10) 4:05 P.M.

(a) Sidewalk at 1644 Pearl Street, Lots 1 and 2 of Block 6081. (Minnie Woo)

(b) Sidewalk at 1628 Pearl Street, Lot 24 of Block 6081. (Andrew Van Dyk)

(c) Sidewalk along Pearl Street at 1601 Pearl Street, Lot 16 of Block 6109. (Lloyd E. Loeb)

(d) Sidewalk at 1629 Pearl Street, Lot 9 of Block 6109. (Blen E. Kern)

(e) Sidewalk at 1605 Pearl Street, Lot 15 of Block 6109. (Roy M. Fleming)

(f) Sidewalk at 1624 Pearl Street, Lot 23 of Block 6081. (Erma F. Colwell)

(g) Sidewalk at 1549 Pearl Street, Lot 2 of Block 6112. (Tony Cannizaro)

(h) Sidewalk at 1535 Teresa Street, Lot 6 of Block 6080. (Walter P. Wesson, Sr.)

(i) Sidewalk at 1625 Teresa Street, Lot 10 of Block 6081. (Virgil L. Trammell)

(j) Sidewalk along Teresa Street at 1416 Del Vale Avenue, Lot 28 of Block 6079. (Karen Smith)

(k) Sidewalk at 1425 Teresa Street, Lot 4 of Block 6083. (Rob Roy Phillips, Sr.) (DROPPED FROM AGENDA)

(l) Sidewalk at 1504 Teresa Street, Lot 16 of Block 6079. (Donald H. Harper)

(m) Sidewalk at 1621 Teresa Street, Lot 11 of Block 6081. (Merle Hart)

(n) Sidewalk at 1617 Teresa Street, Lot 12 of Block 6081. (R. E. Grant)

(o) Sidewalk along Teresa Street at 1424 Del Vale Avenue, Lot 1 of Block 6080. (Virgil R. Daniel)

(p) Sidewalk at 1520 Teresa Street, Lot 20 of Block 6079. (Carl E. Cripe)

(q) Sidewalk at 1549 Teresa Street, Lot 2 of Block 6089. (Charles Sherrick)

ACTION: Res. 77-740 adopted (Dunlap/Kullijian, unan. - Siefkin, absent) work ordered to be done. (P/W to handle)

10. Hearing regarding golf rates. 4:15 P.M.

ACTION: By motion (Lang/Mensinger, unan. - Siefkin, absent) staff to prepare rates that will put the golf courses on a self-supporting basis over a period of two or three years. (P & R to handle)

11. Matters for the good of the community. 4:20 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT
12. Final adoption of the following:
(Motion adopting needed)

(a) Ord. No. 1625-C.S. rezoning property on Coffee Road north of Fairmont from R-1 to P-O. (Warner)

ACTION: By motion, Ord. No. 1625-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1626-C.S. rezoning property on the northwest corner of Sylvan and Coffee Roads from R-1 to P-O. (Berberian)

ACTION: By motion, Ord. No. 1626-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1627-C.S. relating to subdivision regulations.

ACTION: By motion, Ord. No. 1627-C.S. adopted. (Clerk to handle)

(d) Ord. No. 1628-C.S. rezoning property north of Standiford Avenue and west of Tidewater tracks. (Allen Grant, Inc.)

ACTION: By motion, Ord. No. 1628-C.S. adopted. (Clerk to handle)

13. Final adoption of Ord. No. 1624-C.S. relating to In-Lieu Parking Payments.
(Motion adopting needed.)

ACTION: By motion (Elliott/Lang, maj. - Dunlap and Kullijian, no - Siefkin, absent) Ord. No. 1624-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT
14. Consider approval of agreement with Recreation Systems, Inc. for preparation of plans and specifications for the construction of Floyd No. 2, Neighborhood Park.
(On June 20, 1977, City Council approved the Floyd No. 2 Neighborhood Park Master Plan. The staff felt that the professional who produced the master plan is best qualified to translate the master plan into construction drawings. It is desirable that the artistic achievements be translated without losing the theme depicted in the master plan. The agreement has been negotiated and it would now be in order to approve the agreement. Resolution approving agreement needed. Estimated Cost: $23,900; funds are budgeted.)

ACTION: Res. 77-741 adopted approving agreement. (P & R to handle)

CONSENT
15. Consider terminating bus service on portion of Oakdale Road.
(Memo with agenda. Termination of the trial bus service to the Glenwood Mobile Home Park is recommended due to low patronage. Motion approving service termination needed.)

ACTION: By motion, service terminated. (P & T to handle)

CONSENT
16. Consider cooperative agreement with Stanislaus County to repair Seventh Street Bridge.
(The proposed agreement designates Stanislaus County as lead agency for repair of bridge, with City paying 85% of repair costs. Repairs consist of installing hinges on cantelever truss ends, resurfacing of roadway, and rehabilitation concrete sidewalks, rails and trusses. Resolution approving agreement needed. Estimated Cost: $200,000; funds are budgeted.)

ACTION: Res. 77-742 adopted approving agreement. (P/W to handle)

CONSENT
17. Consider agreement between the City of Modesto and Richard W. Rawe and William G. Snyder for refund of share of construction costs of a sanitary sewer on Rexford Drive, north of Sylvan Meadows Drive to serve a development on the west side of Rexford Drive.
(The developers have constructed the sanitary at their own expense. The agreement provides that the City will act as agent for the developers in refunding a share of the cost of said sewer when the adjacent area desires service. No City funds are required. Resolution approving agreement needed.)

ACTION: Res. 77-743 adopted approving agreement. (P/W and Finance to handle)

CONSENT
18. Contract with State for UMTA grant of $228,440 to purchase five buses and seven fare boxes.
(Memo with agenda. The City's application to UMTA for 80% of the cost of the buses and fare boxes has been approved by UMTA and the State. The State has forwarded a contract between the City and the State for approval. Resolution authorizing execution of the contract needed. Estimated Cost: $274,000; funds are budgeted.)

ACTION: Res. 77-744 adopted authorizing execution of the contract with State for UMTA grant. (P & T to handle)

CONSENT
19. Consider termination of contract with Cook's Communication of Fresno effective June 15, 1977, for maintenance on general government and fire radio equipment. Consider authorizing the City Manager to sign a radio maintenance contract with Palitron Corporation for $618.60 per month.
(Memo with agenda. Resolution terminating contract needed, and resolution authorizing City Manager to sign new contract needed. Funds are budgeted.)

ACTION: Res. 77-745 adopted terminating contract with Cook's Communication Corporation, effective June 15, 1977. (Finance to handle)

Res. 77-746 adopted approving agreement with Palitron Corporation. (Finance to handle)

CONSENT
20. Consider acceptance of EDA grant offer for Dryden Trunk Sewer Project.
(The City has received a grant offer in an amount not to exceed $485,000 to aid in the construction of the Dryden Trunk Sewer Project estimated to cost $970,000. Memo with agenda. Resolution accepting EDA grant offer and authorizing City Manager to execute offer needed.)

ACTION: Res. 77-747 adopted accepting EDA grant offer for Dryden Trunk Sewer Project. (P/W to handle)

CONSENT

21. Report of Superintendent of Streets on the cost of installation of curbs and/or sidewalks at the locations listed below: (Resolution setting August 1, 1977 at 4:25 P.M. for hearings needed. Funds are budgeted.)

(a) Curb and sidewalk at 1530 Locke Road, Lot 6 of Block 1024. (Delbert Bowles - $870.00)

(b) Sidewalk at 1130 Coffee Road, a portion of Block 1099. (Downey Park Properties - $1,398.00)

(c) Curb and sidewalk along "F" Street at 1217 "F" Street, Lots 15 and 16 of Block 96. (Victoria Enquist - $770.00)

(d) Sidewalk along McHenry Avenue at 806 Mc-Henry Avenue, a portion of Block 620. (Galas Brothers, Inc. - $782.00)

(e) Curb and sidewalk at 1514 Locke Road, Lot 3 of Block 1024. (Clair R. Miller, Jr. - $882.00)

(f) Sidewalk along Stoddard Avenue at 401 Myrtle Avenue, Lots 23 and 24 of Block 457. (Charles W. Moody - $500.00)

(g) Curb and sidewalk at 1531 Locke Road, Lot 6 of Block 1026. (Jeanetta S. Most - $870.00)

(h) Curb and sidewalk at 1600 Locke Road, Lot 7 of Block 1024. (Randy A. Reece - $798.00)

(i) Sidewalk at 1733 Yosemite Boulevard, a portion of Block 2125-A. (C. H. Samuelson - $310.00)

(j) Sidewalk at 1520 Locke Road, Lot 4 of Block 1024. (Jerry Zigounakis - $624.00)

ACTION: Res. 77-748 adopted setting hearing. (Clerk to handle)

CONSENT

22. Consider request for Council approval of recommendations for increased penalties for Municipal Code driving and parking violations. (Memo with agenda. Motion approving recommendation needed.)

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

CONSENT

23. Consider fixed-base operator lease with Hawke Flying Service at the Modesto City-County Airport/Harry Sham Field. (Staff has completed negotiations with Hawke Flying Service for renewal of their fixed-base operator's lease. Lease is basically the same as in previous years. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 77-749 adopted approving agreement. (P/W to handle)

CONSENT

24. (1) Consider authorizing the purchase of 24 police cruisers from Chuck Swift Dodge, Sacramento, California, through the State Cooperative Purchasing Program for the total price of $125,315.53.
(2) Consider payment of 1% ($1,182.22) service charge to the State Cooperative Purchasing Program.
(3) Consider declaring police vehicles 17601 through 17624 surplus property and authorize the Purchasing Officer to dispose of the vehicles to the highest bidder.

(Memo with agenda. Resolution authorizing purchase needed; resolution authorizing payment of service charge needed; resolution declaring police cruisers surplus property needed. Estimated Cost: $126,497.75; funds are budgeted.

CONSENT
24. Police cruisers, continued.

ACTION: Res. 77-750 adopted authorizing purchase of 24 police cruisers from Chuck Swift Dodge.

Res. 77-751 adopted authorizing payment of service charge to State Cooperative Purchasing Program.

Res. 77-752 adopted declaring police vehicles 17601 through 17624 surplus to the needs of the City and authorizing Purchasing Officer to advertise and sell vehicles to the highest bidder. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT
25. Recommend to Council an amendment to P-D(139) (Modesto City Hospital) to allow special emergency service signs near the "H" and "G" Street frontages.
(On June 28, 1977, the Planning Commission adopted Res. 77-118 recommending an amendment to P-D(139) (Modesto City Hospital) to allow special emergency service signs near the "H" and "G" Street frontages, approximately midway between 17th and 18th Streets. Resolution setting public hearing August 15, 1977 at 4:00 P.M. needed.)

ACTION: Res. 77-753 adopted setting hearing. (Clerk to handle)

CONSENT
26. Recommend to Council amendment to Section 29-3-9 of the Zoning Map. (Don Cowdrey).
(On June 28, 1977, the Planning Commission adopted Res. No. 77-117 recommending to the Council an amendment to Section 29-3-9 of the Zoning Map to rezone from C-1 to P-D to allow a commercial office building with three apartment units and underground parking at 1127 - 12th Street. Resolution setting public hearing August 15, 1977 at 4:05 P.M. needed.)

ACTION: Res. 77-754 adopted setting hearing. (Clerk to handle)

CONSENT
27. Recommend to Council an amendment to Section 21-3-9 of the Zoning Map (Montpelier Development).
(On June 28, 1977, the Planning Commission adopted Res. 77-116 recommending to the Council an amendment to Section 21-3-9 of the Zoning Map to rezone from R-1 to R-2, property located at the north side of East Orangeburg Avenue, between Long Court and El Vecino Avenue, extended. Resolution setting public hearing August 15, 1977 at 4:10 P.M. needed.)

ACTION: Res. 77-755 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

28. Legislation.

NONE

29. Appointments.

ACTION: Res. 77-756 adopted (Kullijian/Mensinger, unan. - Siefkin, absent) appointing Al Pelayo (replacing Senaida Gomez) to the Human Rights Commission for a term ending May 1, 1979. (Clerk to handle)

29. Appointments, continued.

ACTION: Res. 77-757 adopted (Kullijian/Mensinger, unan. - Siefkin, absent) appointing Fleeta Raines (replacing Charles Jolitz) to the Housing Maintenance and Counseling Subcommittee for a term ending June 30, 1979. (Clerk to handle)

30. Matters too late for the agenda.

ACTION: By motion (Elliott/Kullijian, unan. - Siefkin, absent) Councilmember Dunlap's offer to go to Washington, D.C. at his own expense while on a trip during the first two weeks of August and talk to legislators was accepted.

Adjourned at 5:30 P.M. to Hobo Joe's Restaurant, 1525 McHenry Avenue, for dinner and then to 7:30 P.M. in the City Council Chambers to discuss school financing.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Adjourned Regular Meeting
Modesto City Council
July 18, 1977, 7:30 P.M.

The City 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, to further discuss a proposed policy on school financing.

Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Mayor Davies

Absent: Councilmember Siefkin

By motion (Elliott/Lang, maj. - Dunlap and Kullijian, no, - Siefkin, absent) the tax is to be on the basis of square footage.

A motion (Elliott/Lang - Dunlap, Kullijian and Mayor Davies, no - Siefkin, absent) to include the Modesto High School district and all elementary school districts which have any part of their area within the Modesto city limits in the boundary of the area to be taxed failed to carry.

By motion (Elliott/Mensinger, maj. - Dunlap and Mayor Davies, no - Siefkin, absent) the policy is to be in effect for five years.

By motion (Elliott/Lang, maj. - Dunlap and Mayor Davies, no - Siefkin, absent) a committee, to consist of an elected official from each of the school districts participating and a member of the Modesto City Council, will annually make recommendations of priorities to the Public Projects Committee which will study the priorities and present a recommendation to the City Council for approval.

A motion that the tax be paid at the time of issuance of a building permit died for lack of a second.

By motion (Lang/Mesinger, maj. - Dunlap and Mayor Davies, no - Siefkin, absent) payment of the tax is to be made at the time of close of escrow.

By motion (Elliott/Lang, maj. - Dunlap and Mayor Davies, no - Siefkin, absent) a trust fund is to be established in which money received will be held to be disbursed after the City Council has approved the priorities submitted by the Public Projects Committee.

By motion (Elliott/Lang, maj. - Dunlap and Mayor Davies, no - Siefkin, absent) the ordinance establishing the tax is to be effective 30 days after introduction.

By motion (Elliott/Lang, maj. - Mayor Davies, no - Siefkin, absent) the Council is to be notified if any school district receives any funds which lessens or removes the need for that district's participation so that priorities could be adjusted.

A motion that the Empire, Hart-Ransom, Salida, Stanislaus, and Sylvan School Districts be included in the boundary of the area to be taxed died for lack of a second.

It was ordered that the staff is to proceed with preparation of the ordinance based on the actions taken, including all options on the boundaries. Staff is to also comment on whether or not the Council is obligated to give money to a school district which opposes future annexations. The proposed ordinance and other requested information is to be placed on the June 25 Council agenda for further consideration.

The meeting adjourned at 10:55 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 25, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None

Pledge of Allegiance to the Flag
Invocation by Reverend Larry Duncan, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 12, 13, 14, 15, 17, 18, 19, 20, 21, 22
Item 3 removed from consent
Item 16 dropped from agenda
Dunlap/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 regular meeting of July 18, 1977 and the minutes of the adjourned regular meeting of July 18, 1977.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Request from Roger M. Vogelzang, M.D., for a mid-block crosswalk on Coolidge Avenue between McHenry and Florida Avenues.
(Motion referring to staff for report needed.)

ACTION: By motion, request referred to staff for a report. (P & T to handle)

BIDS

3. Consider award of contract for construction of waterlines in Sylvan Meadows East No. 4, Sylvan Meadows East No. 5, Vintage Faire No. 2 and Woodglen Park No. 2.
(Bids were opened on July 19, 1977. The low bid of $146,437.75 submitted by Joe Martin is 32% above the engineer's estimate and is considered acceptable. It is recommended that the contract be awarded to him. Memo with agenda. Resolution accepting bid and awarding contract to Joe Martin needed. Funds are budgeted.)
(Dunlap/Kullijian, unan.)

ACTION: Res. 77-758 adopted/awarding contract to Joe Martin. (P/W to handle)

CONSENT
4. Consider award of contract for construction of waterlines in College Terrace Estates.
(Bids were opened on July 5, 1977. The low bid of $43,302.75 submitted by Mac's Backhoe Service is 59% above the engineer's estimate and is considered acceptable. It is recommended that the contract be awarded to them. Memo with agenda. Resolution accepting bid and awarding contract to Mac's Backhoe Service needed. Funds are budgeted.)

ACTION: Res. 77-759 adopted awarding contract to Mac's Backhoe Service. (P/W to handle)

CONSENT

5. Consider acceptance of Flintkote Company's contract for reconstruction of Briggsmore-Rose intersection. Original Contract: $302,788.50. (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: Contract: $312,704.02; funds are budgeted.)

ACTION: Res. 77-760 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

6. Hearing on uninhabited annexation to the City of Modesto - Standiford-Snyder Addition. 7:30 P.M.

ACTION: By motion (Kullijian/Lang, unan.) Ord. No. 1629-C.S. adopted annexing Standiford-Snyder Addition to the City of Modesto. (Clerk to handle)

Res. 77-761 adopted (Kullijian/Lang, unan.) declaring no majority protest made. (Clerk to handle)

Res. 77-762 adopted (Kullijian/Lang, unan.) stating the intention of the City of Modesto not to succeed to California Land conservation contracts, Standiford-Snyder Addition. (Clerk to handle)

7. Hearing on application for federal funds for transit operations for fiscal year 1976-77. 7:35 P.M.

ACTION: Res. 77-763 adopted (Mensinger/Kullijian, unan.) approving application. (P & T to handle)

8. Continued hearing on amendment to Sections 8-3-9 and 17-3-9 of the Zoning Map to rezone from R-1 to P-D, property located on the east side of Sherwood Avenue both north and south of Rumble Road - James Price. (The developer has requested that this hearing be continued to September 12, 1977. Motion continuing hearing to September 12, 1977 at 7:30 P.M. needed.) 7:40 P.M.

ACTION: By motion (Elliott/Lang, unan.) hearing continued to September 29, 1977 at 7:30 P.M. (Clerk to handle)

9. Informal hearing to further consider the proposed policy on school financing.

ACTION: By motion (Lang/Siefkin, maj. - Kullijian and Mayor Davies, no) Staff to prepare Ordinance based on Alternate 3 of the alternates presented by the Staff. (C/Atty to handle)

By motion (Elliott/Kullijian, maj. - Dunlap, Lang and Mayor Davies, no) the time of collection of the tax will be set at the time of issuing the building permit. (C/Atty to handle)

By motion (Elliott/Dunlap, unan.) a final decision delayed to August 22, 1977 at 7:35 P.M. on the assumption that by that time the builders or any other groups will have a plan which will have been discussed with the Public Projects Committee and the school districts. (Clerk to handle)

9. Informal hearing to further consider the proposed policy on school financing, continued.

ACTION: A motion (Kullijian/Lang) that the individual school districts involved indicate where and why they might oppose future annexations, and that they provide information on how the funds will be used and whether or not the funds will fulfill their requirements failed to carry.

Councilmember Elliott requested that persons who have questions regarding the school financing problem would send a list of the questions to him, the Mayor, or the City Manager.

10. Hearing on the amendment to the General Plan, Orchard Neighborhood revised Final E.I.R. 7:45 P.M.

ACTION: Res. 77-764 adopted (Elliott/Lang, maj. - Mensinger and Siefkin, no) certifying Final E.I.R. relating to Sonoma Trunk extension and directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

Res. 77-765 adopted (Kullijian/Lang, maj. - Mensinger and Siefkin, no) adopting General Plan amendment. (Planning to handle)

11. Matters for the good of the community. 7:50 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

12. Consider legalizing speed limits on certain streets for radar enforcement.
(The Police wish to use radar to enforce the speed limits on seven streets. Memo with agenda. Introduction of ordinance legalizing the survey indicated speed limits and amending Sections 3-2.1401 and 3-2.1401.1 of the Modesto Municipal Code needed. Estimated Cost: $250; funds are budgeted.)

ACTION: Ord. No. 1630-C.S. introduced amending Sections 3-2.1401 and 3-2.1401.1 of the Modesto Municipal Code. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT

13. Report on request by Modesto Civic Theatre concerning lighting at Mancini Bowl and storage facilities for lights and sets.
(Motion approving recommendation needed.)

ACTION: By motion, recommendations approved. (P/W and P & R to handle)

NEW BUSINESS

CONSENT

14. Requrement for construction of curbs and/or sidewalks at the locations listed below. (77/03/04 - 77/06/07)
(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 7:55 P.M., August 8, 1977 for hearings needed.)

CONSENT
14. Requirement for construction of curbs and/or sidewalks, continued.

(a) Sidewalk along El Vista Avenue at 2200 Ada Street, Lot 9, Block 2256 (William James Bahr).

(b) Sidewalk at 520 El Vista Avenue, Lot 6, Block 2256 (James V. Emery).

(c) Sidewalk at 504 and 508 El Vista Avenue, Lots 2 and 3, Block 2256 (Carol Harms).

(d) Sidewalk at 221 El Vista Avenue, Lot 14, Block 2262 (Lloyd Hughes).

(e) Sidewalk at 524 El Vista Avenue, Lot 7, Block 2256 (Robert W. Mayes).

(f) Sidewalk at 512 El Vista Avenue, Lot 4, Block 2256 (Lawrence G. McFaddin).

(g) Sidewalk at 413 El Vista Avenue, Lot 12, Block 2258 (Michael A. McGrath).

(h) Sidewalk at 425 El Vista Avenue, Lot 15, Block 2258 (J. Medlock).

(i) Sidewalk along El Vista Avenue at 2133 Glendale Avenue, Lot 18, Block 2262 (Raymond R. Murray).

(j) Sidewalk along El Vista Avenue at 2203 Glendale Avenue, Lot 10, Block 2323 (Adrian Nelson).

(k) Sidewalk at 409 El Vista Avenue, Lot 11, Block 2258 (Loring W. Nelson).

(l) Sidewalk at 421 El Vista Avenue, Lot 14, Block 2258 (Johnie F. Parker).

(m) Sidewalk at 417 El Vista Avenue, Lot 13, Block 2258 (Eric G. Peet).

(n) Sidewalk at 528 El Vista Avenue, Lot 8, Block 2256 (Lilly P. Riggs).

(o) Sidewalk along El Vista Avenue at 2133 Roble Avenue, Lot 10, Block 2258 (Robert Seward).

(p) Sidewalk at 516 El Vista Avenue, Lot 5, Block 2256 (Robert L. Slagle).

(q) Sidewalk along El Vista Avenue at 108 El Vista Avenue, Lot 9, Block 2323 (Willie C. Stansberry).

(r) Sidewalk along El Vista Avenue at 147 El Vista Avenue, Lot 1, Block 2263 (Herman C. Winters).

ACTION: Res. 77-766 adopted setting hearing. (P/W to handle)

CONSENT
15. Consider a resolution approving the Position Classification Plan for City of Modesto. Consider a resolution amending Exhibit "F" of resolution entitled "A Resolution Establishing Salary Schedules and Fixing Compensation for Positions in the City Service." (Memo with agenda. Adoption of two resolutions needed.)

ACTION: Res. 77-767 adopted approving Position Classification Plan.

Res. 77-768 adopted amending Exhibit "F" establishing salary schedules. (Personnel to handle)

CONSENT

16. Consider waiver of formal bid procedures by 5 affirmative votes and authorize the City Manager to sign a purchase agreement with the Burroughs Corporation for the purchase of computer equipment. Total cost for the equipment is $51,749.00 including State and local taxes. (Memo with agenda. Resolution waiving bid procedures and authorizing purchase of equipment needed. Funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

17. Request of Director of Parking and Traffic to assist City of Santa Cruz.
(Memo with agenda. Motion authorizing assistance to be given in off duty hours needed.)

ACTION: By motion, request approved. (P & T to handle)

CONSENT

18. Consider request of Mr. and Mrs. Merle Williams to install a drinking fountain at the Modesto City-County Airport/Harry Sham Field as a memorial to their son, Bruce Williams.
(The Airport Manager has received a letter request from Mr. and Mrs. Merle Williams to install a refrigerated drinking fountain at the Airport as a memorial to their son, Bruce Williams, who was killed in an aircraft accident several weeks ago. The fountain will be a desirable addition to the lawn and picnic area adjacent to the Administration Building. Funds for this memorial have been contributed from his many friends at the Airport, and there will be no cost to the City. It is the staff recommendation that the City Council approve the installation of the memorial drinking fountain. Motion approving installation of memorial drinking fountain needed.)

ACTION: By motion, memorial drinking fountain approved. (P/W to handle)

CONSENT

19. Consider approval of the final map of the Walnut 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.
(Subdivider: C. A. Tallent)
(The subdivision agreement has been signed and all fees paid. Walnut Park subdivision is located north of Sylvan Avenue and west of Coffee Road. It contains 12.857 acres. Resolution approving final map needed.)

ACTION: Res. 77-769 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider support of proposed Resolution of the Central Valley Division of the League of California Cities seeking amendment to The Transportation Development Act.
(Memos and proposed Resolution with agenda. Resolution supporting S.B. 325 and authorizing City of Modesto representatives to the Central Valley Division of the League of California Cities to vote in favor of the Resolution needed.)

ACTION: Res. 77-770 adopted supporting Resolution. (C/Mgr to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

21. Recommend amendment to Council Resolution No. 75-365 - P-D(53), Haig Berberian.
(On July 5, 1977, the Planning Commission adopted Res. No. 77-23, recommending to the City Council an amendment to Council Resolution No. 75-365, entitled "A Resolution Approving a Plot Plan and Landscaping, Irrigation and Signs Plans for P-D(53), for a Neighborhood Shopping Center at the Northeast Corner of Sylvan Avenue and Coffee Road (Haig Berberian)." Resolution amending Res. No. 75-365 needed.)

ACTION: Res. 77-771 adopted amending Resolution No. 75-365. (Planning to handle)

CONSENT

22. Recommend commencement of proceedings for the annexation to the City of Inhabited Territory - Sutter-Colorado Addition.
(On July 19, 1977, the Planning Commission adopted Res. 77-124, recommending to the Council the commencement of proceedings for the annexation to the City of Inhabited Territory (Sutter-Colorado Addition), bounded on the north by the northern property lines of the parcels on the north side of Pelton Avenue, on the east by Colorado Avenue, on the south by the existing corporate City limits south of Garden Avenue and on the west by Sutter Avenue. Resolution consenting to commencing of proceedings to annex needed.)

ACTION: Res. 77-772 adopted consenting to commencement of proceedings to annex Sutter-Colorado Addition to City of Modesto. (Planning to handle)

MISCELLANEOUS

23. Legislation.

NONE

24. Appointments.

ACTION: Res. 77-773 adopted (Kullijian/Lang, unan.) appointing Walter Bregman to Seat 5 of the Citizens Housing and Community Development Committee for a term expiring 6/30/81, replacing Julius Manrique. (Clerk to handle)

25. Matters too late for the agenda.

ACTION: Res. 77-774 adopted (Lang/Kullijian, unan.) commending McHenry Museum Guild on their efforts on behalf of the Museum. (Clerk to handle)

Adjourned at 12:27 A.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 1, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: Councilmember Dunlap

Pledge of Allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33
Item 23 dropped from agenda
Kullijian/Lang, unan. - Dunlap, 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 July 25, 1977. (Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Culture Commission regarding restoration of McHenry Mansion.

ACTION: By motion (Lang/Mensinger, unan. - Dunlap, absent) Culture Commission authorized to initiate fund raising campaign. (P & R to handle)

By motion (Elliott/Kullijian, unan. - Dunlap, absent) receipt of report acknowledged and appreciation expressed to the Commission.

BIDS

CONSENT
3. Consider rejecting bids for 10th and K parking lot construction. (Memo with agenda. Bids were reasoneble but beyond budget. Resolution rejecting all bids needed.)

ACTION: Res. 77-775 adopted rejecting all bids submitted for 10th and K parking lot construction, and opened in the office of the City Clerk on July 19, 1977 at 2:00 P.M. (P & T to handle)

CONSENT
4. Approve specifications and call for bids on five new buses and seven new fare boxes.
(Memo with agenda. The specifications provide for five 25-passenger, air-conditioned, diesel transit buses and seven fare boxes. Delivery is expected in the first part of 1978. A federal grant will pay 80% of the cost. Resolution approving specifications and calling for bids on October 4, 1977 at 2:00 P.M. for buses and 2:10 P.M. for fare boxes needed. Estimated Cost: $274,000; funds are budgeted.)

ACTION: Res. 77-776 adopted approving specifications and bid call for 5 new buses.

Res. 77-777 adopted approving specifications and bid call for 7 new fare boxes. (P & T to handle)

CONSENT

5. Approve plans and specifications and call for bids for asphalt concrete surfacing various residential alleys, Project No. 6.
(Suggested bid opening date: August 16, 1977 at 11:10 A.M. This is the sixth project of the new program which provides for City crews to clean, grade and compact alleys and the adjacent property owners paying the cost of the asphalt concrete surfacing of the alleys. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $17,540 (Cont. $15,945, Engr. $1,595); funds are budgeted.)

ACTION: Res. 77-778 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for construction of waterlines in Grand Prix Estates, Hillsboro Park No. 1, and Springcreek No. 2.
(Suggested bid opening date: August 16, 1977 at 11:00 A.M.

Costs & Revenues	Grand Prix Estates	Hillsboro Park #1	Springcreek #2
Construction	$52,333	$36,670	$26,885
Connection Charges	20,020	13,860	10,120
Net Revenue	1,583	1,512	800

Resolution approving plans and specifications needed. Estimated Cost: $115,888 ($99,538 Contract; $16,350 Engr. & Materials); funds are budgeted.)

ACTION: Res. 77-779 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

7. Approve plans and specifications and call for bids for asphalt concrete resurfacing various city streets, 1977-78.
(Bid opening: August 16, 1977 at 11:05 A.M. This is our yearly program for street overlays, both select and residential streets. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: $145,302 (Contract $135,165; Engr. $10,137); funds are budgeted.)

ACTION: Res. 77-780 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

8. Consider award of contract for construction of restroom facilities at Chrysler Park.
(Bids were opened on July 26, 1977. The low bid submitted by B. J. Rommel, which is 6.6% above the Engineer's Estimate is considered acceptable. It is therefore recommended that the contract be awarded to him. Resolution awarding contract to B. J. Rommel needed. Estimated Cost: $39,418.00; funds are budgeted.)

ACTION: Res. 77-781 adopted awarding contract to B. J. Rommel. (P/W to handle)

CONSENT

9. Consider award of contract for construction of waterlines in Braden Avenue, E. of Dale Road, Oakdale Road between E. Orangeburg and Nystrom Avenue, and Sherwood Plaza.
(Bids were opened on July 26, 1977. The low bid of $24,903.50 submitted by Western Pipeline Co., Inc. is 21% above the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Waterline installation costs have

CONSENT
9. continued
risen considerably in the past few months. Compared to recent bids the Engineer's Estimate is low, and the low bid by Western Pipeline is reasonable. Resolution awarding contract to Western Pipeline Co., Inc. needed. Funds are budgeted.)

ACTION: Res. 77-782 adopted awarding contract to Western Pipeline Co., Inc. (P/W to handle)

CONSENT
10. Consider acceptance of George Bianchi Construction, Inc.'s contract for Project No. 7 - Replacement of curbs and drive approaches at various locations. Original Contract: $38,836.00.
(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. Resolution accepting work as complete needed. Final Cost: $38,836.00; funds are budgeted.)

ACTION: Res. 77-783 adopted accepting contract as complete. (Clerk to handle)

CONSENT
11. Consider acceptance of Stanislaus Pump & Machine's contract for the construction of Pump Station No. 42. Original Contract: $84,999.00.
(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. Final Cost: $84,899.00; funds are budgeted.)

ACTION: Res. 77-784 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

12. Hearing, annexation of Scenic Bend Addition. 4:00 P.M.

ACTION: Res. 77-785 adopted (Kullijian/Lang, unan. - Dunlap, absent) declaring no majority protest made. (Clerk to handle)

By motion (Kullijian/Lang, unan. - Dunlap, absent) Ord. No. 1631-C.S. adopted annexing area. (Clerk to handle)

13. Hearing on appeal by Fanny S. Moreno to a Planning Commission decision regarding prezoning property at the northwest corner of Carver Road and Sheldon Drive to R-2. 4:05 P.M.

ACTION: By motion (Elliott/Kullijian, maj. - Siefkin, no - Dunlap, absent) Ord. No. 1632-C.S. introduced prezoning area. (Clerk to handle)

Res. 77-786 adopted (Elliott/Kullijian, maj. - Siefkin, no - Dunlap, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

14. Hearing on amendment to Section 16-3-9 of the zoning map to rezone from R-1 to P-O, property located on the west side of Coffee Road north of Athens Ave. (Wayne Pack, D.C.) 4:10 P.M.

ACTION: By motion (Lang/Kullijian, unan. - Dunlap, absent) Ord. No. 1633-C.S. introduced rezoning area. (Clerk to handle)

14. Hearing on amendment to Section 16-3-9, continued. 4:10 P.M.

ACTION: Res. 77-787 adopted (Lang/Kullijian, unan. - Dunlap, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

15. Hearing on appeal by Sign Designs, Inc. to Board of Zoning Adjustment's decision regarding a request for a freestanding sign for John Bettencourt Used Cars. 4:15 P.M.

ACTION: Res. 77-788 adopted (Lang/Elliott, unan. - Dunlap, absent) resetting hearing for 4:05 P.M., Tuesday, September 6, 1977. (Clerk to handle)

16. Hearing on appeal by Guckenheimer Enterprises, Inc. to the Board of Zoning Adjustment's decision regarding a freestanding sign on McHenry north of Rumble. 4:20 P.M.

ACTION: Res. 77-789 adopted (Siefkin/Elliott, maj. - Kullijian and Lang, no - Dunlap, absent) denying appeal. (Planning to handle)

17. Hearings on the cost of construction of sidewalk curb and/or gutter at the following locations: 4:25 P.M.

(a) Curb and sidewalk at 1530 Locke Road, Lot 6 of Block 1024.
(Delbert Bowles - $880.00)
(Staff recommends payment over a period of 10 years.)

ACTION: Res. 77-790 adopted (Lang/Elliott, unan. - Dunlap, absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)

(b) Sidewalk at 1130 Coffee Road, a portion of Block 1099.
(Downey Park Properties - $1,408.00)

ACTION: Res. 77-791 adopted (Lang/Elliott, unan. - Dunlap, absent) confirming report, assessing costs, and directing method of collection. (Finance to handle)

(c) Curb and sidewalk along "F" Street at 1217 "F" Street, Lots 15 and 16 of Block 96.
(Victoria Engquist - $780.00)

ACTION: Res. 77-792 adopted (Lang/Elliott, unan. - Dunlap, absent) confirming report, assessing costs, and directing method of collection. (Finance to handle)

(d) Sidewalk along McHenry Avenue at 806 McHenry Avenue, a portion of Block 620. (Galas Brothers, Inc. - $792.00)

ACTION: Res. 77-793 adopted (Lang/Elliott, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(e) Curb and sidewalk at 1514 Locke Road, Lot 3 of Block 1024.
(Clair R. Miller, Jr. - $892.00)
(Staff recommends payment over a period of 10 years.)

ACTION: Res. 77-794 adopted (Lang/Elliott, unan. - Dunlap, absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)

17. Hearings on the cost of construction of sidewalks, etc., continued. 4:25 P.M.

(f) Sidewalk along Stoddard Avenue at 401 Myrtle Avenue, Lots 23 and 24 of Block 457.
(Charles W. Moody - $510.00)

ACTION: Res. 77-795 adopted (Lang/Elliott, unan. - Dunlap, absent) confirming report, assessing costs, and directing method of collection. (Finance to handle)

(g) Curb and sidewalk at 1531 Locke Road, Lot 6 of Block 1026.
(Jeanetta S. Most - $880.00)
(Staff recommends payment over a period of 10 years.)

ACTION: Res. 77-796 adopted (Lang/Elliott, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection over a period of 10 years. (Finance to handle)

(h) Curb and sidewalk at 1600 Locke Road, Lot 7 of Block 1024.
(Randy A. Reece - $808.00)
(Staff recommends payment over a period of 10 years.)

ACTION: Res. 77-797 adopted (Lang/Elliott, unan. - Dunlap, absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)

(i) Sidewalk at 1733 Yosemite Boulevard, a portion of Block 2125-A.
(C. H. Samuelson - $320.00)
(Staff recommends payment over a period of 6 years.)

ACTION: Res. 77-798 adopted (Lang/Elliott, unan. - Dunlap, absent) confirming report, assessing costs, and directing method of collection over a period of 6 years. (Finance to handle)

(j) Sidewalk at 1520 Locke Road, Lot 4 of Block 1024.
(Jerry Zigounakis - $634.00)
(Staff recommends payment over a period of 10 years)

ACTION: Res. 77-799 adopted (Lang/Elliott, unan. - Dunlap, absent) confirming report, assessing costs, and directing method of collection over a period of 10 years. (Finance to handle)

18, Matters for the good of the community. 4:30 P.M.
(These may be presented by interested persons in the audience.)

NONE

ORDINANCES

CONSENT
19, Final adoption of Ordinance No. 1630-C.S. relating to speed limits.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 1630-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT
20. Renewal of group medical insurance contract with California Blue Shield.
(Memo with agenda. Resolution approving renewal of group medical insurance contract with California Blue Shield needed.)

ACTION: Res. 77-800 adopted approving renewal of group medical insurance with California Blue Shield, commencing September 1, 1977. (Personnel to handle)

CONSENT
21. Citizens Housing and Community Development Committee recommendation to approve agreement with Stanislaus County Housing Authority for provisions of counseling services.
(Memo with agenda. Resolution approving agreement with Stanislaus County Housing Authority needed. Estimated Cost: $48,475; funds are budgeted.)

ACTION: Res. 77-801 adopted approving agreement. (Planning to handle)

CONSENT
22. Approval of Citizens Housing and Community Development Committee's recommendation to modify procedure regarding approval of Housing Maintenance Program loans by the Rehabilitation Loan Pool Subcommittee.
(Memo with agenda. Resolution amending the Housing Maintenance Program guidelines established by Resolution No. 76-566 (to modify loan procedure) needed.)

ACTION: Res. 77-802 adopted amending Housing Maintenance Program guidelines established by Res. No. 76-566. (Planning to handle)

CONSENT
23. Consider agreement with Edward and Velma Johnson for the purchase of a 0.66± acre permanent easement and a 0.40± acre temporary easement.
(The Johnsons have agreed to convey these easements to the City for the appraised value of $8,750.00. The easements are needed for the Scenic-Sonoma Storm Drain. Resolution accepting easements and resolution transferring funds needed. Estimated Cost: $8,750.00; funds are budgeted.)

DROPPED FROM AGENDA

CONSENT
24. Consider agreement with Hager Supply Company for the removal of the dried digested sludge from the City of Modesto Wastewater Treatment Plant.
(An agreement has been negotiated with Hager Supply Company for the removal of the dried digested sludge at no cost to the City. Memo with agenda. Resolution authorizing execution of the agreement needed.)

ACTION: Res. 77-803 adopted approving agreement. (P/W to handle)

CONSENT
25. Consider SAAG suggestions regarding transit.
(Memo with agenda. SAAG has raised several issues to be resolved as part of the update of the Transit Plan. SAAG has requested the City's recommendations on these issues. Motion approving the recommendations needed.)

ACTION: By motion, recommendations approved. (P & T to handle)

CONSENT
26. Consider approving master agreement with the State for Federal Highway Administration Funded projects.
(Memo with agenda. The master agreement contains general conditions for federally funded street and highway related projects. Individual projects will be handled by supplemental agreements. Resolution approving master agreement #10-5059 needed.)

ACTION: Res. 77-804 adopted approving agreement. (P & T to handle)

CONSENT

27. Consider designating Stanislaus County Human Services, Division of Health, as enforcement agency for the County Solid Waste Management Plan.
(The County Health Office has been designated as the enforcement agency of the County Solid Waste Enforcement Plan. Apparently this designation as adopted in the past does not meet new State law requirements, and a new action by the City is required. Staff recommends the City Council take appropriate action. Memo from the office of the County Chief Administrator requesting action is with agenda. Resolution designating Stanislaus County Human Services, Division of Health, as enforcement agency needed.)

ACTION: Res. 77-805 adopted designating Stanislaus County Human Services, Division of Health, as enforcement agency for the County Solid Waste Management Plan. (P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

28. Recommend to Council an amendment to Section 9-3-9 of the Zoning Map. (Wilbur F. Earley)
(On July 19, 1977, the Planning Commission adopted Res. No. 77-130 recommending to Council an amendment to Section 9-3-9 of the Zoning Map to prezone to R-2, property located on the west side of Coffee Road, S/W of Thorsen Avenue. (Wilbur Earley) Resolution setting public hearing at 7:45 P.M. on Spetember 12, 1977 needed.)

ACTION: Res. 77-806 adopted setting hearing. (Clerk to handle)

CONSENT

29. Recommend to Council an amendment to Section 11-3-8 of the Zoning Map (T.M.I. Corporation)
(On July 19, 1977, the Planning Commission adopted Res. No. 77-133 recommending to Council an amendment to Section 11-3-8 of the Zoning Map to rezone from R-1 to P-D to allow construction of Motel-restaurant, commercial structure, and multi-family residential complex, property located on east side of Sisk Road, northwest of Standiford Avenue. (T.M.I. Corporation). Resolution setting public hearing at 4:00 P.M. on Spetember 6, 1977 needed.)

ACTION: Res. 77-807 adopted setting hearing. (Clerk to handle)

CONSENT

30. Recommend to Council an amendment to Section 21-3-9 of the Zoning Map. (Billy K. Lenser, M.D.)
(On July 19, 1977, the Planning Commission adopted Res. No. 77-132 recommending to Council an amendment to Section 21-3-9 of the Zoning Map to rezone from R-3 to P-O, property located east of McHenry Avenue, between E. Coolidge and E. Granger. (Billy K. Lenser, M.D.) Resolution setting public hearing at 7:50 P.M. on September 12, 1977 needed.)

ACTION: Res. 77-808 adopted setting hearing. (Clerk to handle)

REPORTS

CONSENT

31. Consider recommendations proposed on public right of way encroachment policy.
(A year ago the Council requested that staff look into and report on the City's policy concerning encroachments in the public right of way. Such review and report has been completed. Memo with agenda. Motion directing staff to prepare necessary Code amendments needed.)

ACTION: By motion, staff directed to prepare Code amendments. (P/W to handle)

CONSENT

32. Quarterly Report from Modesto Chamber of Commerce for April - June, 1977.
(Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

APPROPRIATION TRANSFERS

CONSENT

33. Appropriation transfers for extended audits on federal grants. (Report with agenda. Resolution approving appropriation transfers needed. Estimated Cost: $1,750.00; funds are partially budgeted.)

ACTION: Res. 77-809 adopted approving appropriation transfer of $450.00 from Account 60-800-101 to Account 235-180-101).

Res. 77-810 adopted approving appropriation transfer of $350.00 from Account 60-800-611 to Account 235-60-611. (Finance to handle)

MISCELLANEOUS

34. Legislation.

NONE

35. Appointments.

ACTION: Res. 77-811 adopted (Lang/Mensinger, unan. - Dunlap, absent) appointing Harold Lutes as a member of the Farm-City Advisory committee for a term expiring May 1, 1979, replacing John Britton. (Clerk to handle)

36. Matters too late for the agenda.

ACTION: By motion (Kullijian/Mayor Davies, unan. - Dunlap, absent) C. K. McClatchy, Editor of the Modesto Bee, commended on the new policy concerning advertising pornographic x-rated movies. (C/Mgr to handle)

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 MONDAY, AUGUST 8, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: Councilmember Dunlap

Pledge of Allegiance to the Flag
Invocation by Reverend Robert Segerhammar, Emanuel Lutheran Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 12, 13, 14, 15, 16, 17, 19, 20, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31
Item 18 removed from consent
Kullijian/Lang, unan. - Dunlap, 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 August 1, 1977. (Motion approving needed.)

ACTION: By motion, minutes approved.

BIDS

CONSENT
2. Consider approval of specifications and authorize call for bids to be opened August 30, 1977 at 2:00 P.M. for furnishing materials for the Water Quality Control Storm Bypass project.
(Material required to divert storm water to ponding sites, thus eliminating sand problems in the clarifiers. City to install material. Resolution authorizing call for bids needed. Estimated Cost: $17,000.00; funds are budgeted.)

ACTION: Res. 77-812 adopted approving specifications and bid call. (P/W to handle)

CONSENT
3. Consider approval of plans and specifications and call for bids for raising manholes and valve boxes in McHenry Avenue between Helen Avenue and Leveland Lane and between Warren Way and Union Avenue.
(Suggested bid opening: August 23, 1977 at 11:00 A.M. McHenry Avenue was recently overlayed with 1" of asphalt concrete. This project will raise existing manholes and valve boxes to grade. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $19,870 ($17,870 Contract; $2,000 Engr. and Contingencies); funds are budgeted.)

ACTION: Res. 77-813 adopted approving plans, specifications and bid call. (P/W to handle)

235-66

CONSENT

4. Consider acceptance of Mac's Backhoe Service's contract for construction of waterline extension in McHenry Avenue between Woodrow Avenue and 470' south.
(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. Final Cost: $7,192.20; funds are budgeted.)

ACTION: Res. 77-814 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

5. Hearing, annexation of El Vista-Ellis Addition to City of Modesto. 7:30 P.M.

ACTION: Res. 77-813 adopted (Elliott/Lang, unan. - Dunlap, absent) declaring no majority protest made. (Clerk to handle)

Ord. No. 1634-C.S. adopted (Elliott/Lang, unan. - Dunlap, absent) annexing area. (Clerk to handle)

6. Hearing, annexation of Coffee-Coolidge Addition to City of Modesto. 7:35 P.M.

ACTION: Res. 77-816 adopted (Lang/Mensinger, unan. - Dunlap, absent) declaring no majority protest made. (Clerk to handle)

Ord. No. 1635-C.S. adopted (Lang/Mensinger, unan. - Dunlap, absent) annexing area. (Clerk to handle)

7. Continued hearing, appeal to Planning Commission decision on rezoning south side of Sylvan Avenue. (Weeks Real Estate) 7:40 P.M.

ACTION: Res. 77-817 adopted (Siefkin/Mensinger, maj. - Kullijian, no - Dunlap, absent) denying appeal. (Planning to handle)

8. Hearing on appeal by Irwin Steinpress to the Planning Commission's decision concerning prezoning of property at the southwest corner of Woodland and Carpenter, Woodland Plaza. 7:45 P.M.
(Mr. Steinpress has requested that this hearing be continued for 30 days. If approved, a motion continuing hearing to Monday, September 12, 1977 at 7:40 P.M. will be needed. If the hearing is continued, Gordon Hart, Consulting Engineer who prepared the Environmental Impact Review, has requested payment at this time for the work he performed. If approved, a resolution will be needed)

ACTION: By motion (Lang/Siefkin, unan. - Dunlap, absent) hearing continued to September 12, 1977 at 7:40 P.M. (Clerk to handle)

Res. 77-818 adopted (Elliott/Lang, unan. - Dunlap, absent) approving payment to Gordon Hart. (Finance to handle)

9. Hearing on appeal by Mid-Valley Engineering to Planning Commission decision concerning Zagaris P-D application - Woodland Avenue Duplexes. 7:50 P.M.

ACTION: By motion (Lang/Kullijian, maj. - Elliott and Siefkin, no - Dunlap, absent) Ord. No. 1636-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-819 adopted (Lang/Kullijian, maj. - Elliott and Siefkin, no - Dunlap, absent) approving P-D(167) Planned Development. (Planning to handle)

Res. 77-820 adopted (Lang/Kullijian, maj. - Elliott and Siefkin, no - Dunlap, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

By motion (Mensinger/Kullijian, unan. - Dunlap, absent) staff directed to look at both the nature of collector streets and the use of P-D's for a modification of the policy concerning duplexes on collector streets. (Planning to handle)

10. Hearing on requirement for construction of sidewalk, curb and/or gutter, Project No. 77/03/04 - 77/06/07, at the following locations: 7:55 P.M.

(a) Sidewalk along El Vista Avenue at 2200 Ada Street, Lot 9, Block 2256. (William James Bahr)

DROPPED FROM AGENDA

(b) Sidewalk at 520 El Vista Avenue, Lot 6, Block 2256. (James V. Every)

(c) Sidewalk at 504 and 508 El Vista Avenue, Lots 2 and 3, Block 2256. (Carol Harms)

DROPPED FROM AGENDA

(d) Sidewalk at 221 El Vista Avenue, Lot 14, Block 2262. (Lloyd Hughes)

DROPPED FROM AGENDA

(e) Sidewalk at 524 El Vista Avenue, Lot 7, Block 2256. (Robert W. Mayes)

(f) Sidewalk at 512 El Vista Avenue, Lot 4, Block 2256. (Lawrence G. McFaddin)

(g) Sidewalk at 413 El Vista Avenue, Lot 12, Block 2258. (Micahel A. McGrath).

(h) Sidewalk at 425 El Vista Avenue, Lot 15, Block 2258. (J. Medlock)

(i) Sidewalk along El Vista Avenue at 2133 Glendale Avenue, Lot 18, Block 2263. (Raymond R. Murray)

(j) Sidewalk along El Vista Avenue at 2203 Glendale Avenue, Lot 10, Block 2323. (Adrian Nelsen)

(k) Sidewalk at 409 El Vista Avenue, Lot 11, Block 2258. (Loring W. Nelson)

DROPPED FROM AGENDA

10. Hearing on requirement for construction of sidewalk, etc., continued. 7:55 P.M.

(l) Sidewalk at 421 El Vista Avenue, Lot 14, Block 2258. (Johnie F. Parker)

(m) Sidewalk at 417 El Vista Avenue, Lot 13, Block 2258. (Eric G. Peet)

(n) Sidewalk at 528 El Vista Avenue, Lot 8, Block 2256. (Lilly P. Riggs)

(o) Sidewalk along El Vista Avenue at 2133 Roble Avenue, Lot 10, Block 2258. (Robert Seward)

DROPPED FROM AGENDA

(p) Sidewalk at 516 El Vista Avenue, Lot 5, Block 2256. (Robert L. Slagel)

(q) Sidewalk along El Vista Avenue at 108 El Vista Avenue, Lot 9, Block 2323. (Willie C. Stansberry)

(r) Sidewalk along El Vista Avenue at 147 El Vista Avenue, Lot 1, Block 2263. (Herman C. Winters)

ACTION: Res. 77-821 adopted (Elliott/Lang, unan. - Dunlap, absent) ordering work done. (P/W to handle)

11. Matters for the good of the community. 8:00 P.M.
(These may be presented by interested persons in the audience.)

ACTION: Mr. John de Boer, a member of the Farm-City Advisory Committee, and Mrs. de Boer were introduced.

ORDINANCES

CONSENT

12. Final adoption of Ordinance No. 1633-C.S., amending Section Map 16-3-9, to rezone property on Coffee Road south of Floyd Avenue from R-1 to P-O. (Wayne Pack, D.C.).

ACTION: By motion, Ord. No. 1633-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

13. Consider request for sewer service to property at 2048 Lance Street, located on Lance Street between Phoenix Street and El Vista. Owners: Joe R. Randy and Mary V. Randy.
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City. However, a line exists to serve it. Resolution approving agreement needed.)

ACTION: Res. 77-822 adopted approving agreement. (Clerk to handle)

CONSENT

14. Consider request for sewer service to property at 1523 Queens Avenue, located on the west side of Queens Avenue between East Coolidge and Briggsmore. Owners: George L. Berg and Katherine S. Berg.
(The property owners have signed an agreement to annex when requested to do by City. The property is not contiguous to City. However, a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 77-823 adopted approving agreement. (Clerk to handle)

CONSENT

15. Consider approval of an automotive rental lease and concession agreement with the Hertz Corporation at the Modesto City-County Airport/Harry Sham Field.
(The staff and representatives of the Hertz Corporation have concluded the negotiations of an amended agreement which increases automotive parking spaces from 5 to 8 and establishes the monthly minimum fee at $300 or 7½% of the gross revenue, whichever is the higher. The term of the original lease began September 1, 1975 for a period of 3 years. Resolution approving agreement needed.)

ACTION: Res. 77-824 adopted approving agreement. (P/W to handle)

CONSENT

16. Consider approval of revocable permit to the City of Modesto from Hetch Hetchy water and power to extend Crocus Drive across Hetch Hetchy right of way, and authorize the City Manager to execute on behalf of the City of Modesto.
(Crocus Drive is a new street crossing of Hetch Hetchy right of way. It is located north of Standiford Avenue, west of McHenry Avenue in Parcels Nos. 659 and 661(1). No City funds required. Resolution approving revocable permit needed.)

ACTION: Res. 77-825 adopted approving revocable permit. (P/W to handle)

CONSENT

17. Consider renewing lease with Don L. Thiel for one year. Lease is for a portion of old police building lot on Tenth Street.
(The new lease is the same as the old lease except the rental rate has been increased from $50/mo. to $55/mo. Also the new lease contains a 30 day cancellation provision. Lease is set to expire on July 31, 1978. Resolution approving lease agreement needed.)

ACTION: Res. 77-826 adopted approving agreement. (P/W to handle)

18. Consider removing traffic signals at P Street and 9th in conjunction with the Kansas/Needham realignment project.
(Memo with agenda. The signals at 9th and P Streets cannot remain without seriously impairing the signals proposed for the realigned Kansas-Needham intersection. The two businessmen on P Street object to removing the signals. Motion determining signals should be removed at 9th and P Streets when Kansas-Needham is aligned needed.)

ACTION: By motion (Elliott/Kullijian, unan. - Dunlap, absent) signals will be removed when streets are aligned. (P & T to handle)

By direction of the Chair, staff to work with Mr. Saad on signs to help identify his business. (P/W to handle)

CONSENT

19. Amendment to agreement with Bonded Security Services, Inc. for burglar alarm at the McHenry Museum.
(The cost will increase from $34.00 to $36.00 a month, effective July 1, 1977. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 77-827 adopted approving amendment to agreement. (P & R to handle)

CONSENT

20. Amendment to 1977-78 Operating Budget to provide money for Junior Golf Program.
(The S.O.S. Club conducts a Celebrity Golf Tournament on the Dryden Golf Course; the proceeds are placed in trust with the City to sponsor and promote a George Maroney Junior Golf Tournament and instructional program for youth. This is the fourth program for youth, and a transfer of $400 for trophies and green fees (at the Modesto Golf Center, 3943 Carver Road, Modesto) is needed from City Trust Fund to the General Fund, Donations Account and then appropriated to General Fund, Recreation Division of the Parks and Recreation Department in the Junior Golf Program Account. Resolution amending budget needed.)

ACTION: Res. 77-828 adopted amending 1977-78 Operating Budget. (Finance to handle)

CONSENT

21. Consider waiver of formal bid procedures by 5 affirmative votes and authorize the City Manager to sign a purchase agreement with the Burroughs Corporation for the purchase of computer equipment. Total cost for the equipment is $51,749.00, including State and local taxes.
(Memo with agenda. Resolution waiving bid procedures and authorizing purchase of equipment needed. Funds are budgeted.)

ACTION: Res. 77-829 adopted waiving formal bid procedure and authorizing City Mansger to sign purchase agreement for equipment needed. (Finance to handle)

CONSENT

22. Consider purchase of a Wastewater Treatment Plant digester gas carbon dioxide stripping system in conjunction with the methane fuel powering project.
(A research and development project has been underway since 1973 with the goal of powering vehicles using methane from the City of Modesto Wastewater Treatment Plant digesters. It is proposed that formal bid procedures be waived and a digester gas stripping system be purchased from Dual Fuel Systems, Inc. for $22,772.32, plus freight charges. Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase of the digester gas stripping systme needed. Five affirmative votes needed. Funds are budgeted.)

ACTION: Res. 77-830 adopted waiving formal bid procedure and authorizing purchase of the digester gas stripping system. (P/W to handle)

CONSENT

24. Consider approval of a lease agreement between the City of Modesto and E & J Gallo Winery for the rental of Hangar #6 at the Modesto City-County Airport/Harry Sham Field.
(A new lease agreement has been prepared and executed by E & J Gallo Winery. The term of the lease is for 3 years and the rental fees are as established from time to time by resolution of the City Council (present fee is $145 per month). Memo with agenda. Resolution approving lease agreement needed.)

ACTION: Res. 77-831 adopted approving agreement. (P/W to handle)

CONSENT

25. Consider approval of agreement with Duane Stone, A.I.A., and Associates for preparation of plans and specifications for construction of Fire Station No. 7.
(On May 12, 1977 a staff committee, consisting of Public Works and Fire Department personnel, met to recommend an architect to design Fire Station No. 7. Since Fire Station No. 7 is to be similar to Fire Station No. 6 and since Duane Stone is familiar with the requirements of the Department, the committee recommends that the City approve an agreement with Duane Stone, A.I.A., and Associates. Resolution approving agreement needed. Estimated Cost: $15,000; funds are budgeted.)

ACTION: Res. 77-832 adopted approving agreement. (P/W to handle)

CONSENT

26. Consider approval of an agreement with Jenks & Harrison for engineering services to design floating aerators for installation at the oxidation ponds.
(The City is processing a project report which defines improvements to be made in waste treatment facilities operated by the City. The State has agreed to the funding of additional aeration units at the oxidation ponds prior to final concept approval of the project report covering all facilities of the improvement program. Resolution approving agreement needed. Estimated Cost: $21,900; funds are budgeted.)

ACTION: Res. 77-833 adopted approving agreement. (P/W to handle)

REPORTS

CONSENT

27. Report of Salvation Army's costs to provide meals and lodging for destitute and indigent persons in the Modesto community.
(Memo with agenda. Motion acknowledging receipt of report needed. Estimated Cost: $900; funds are budgeted.)

ACTION: By motion, receipt of report acknowledged. (Finance to handle)

CONSENT

28. Financial analysis of Workers' Compensation self-insurance program for fiscal year 1976-77.
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

29. Recommend to Council an amendment to Section 9-3-9 of the Zoning Map - Dennis Cummins.
(On June 21, 1977, the Planning Commission adopted Res. 77-112 recommending to the City Council an amendment to Section 9-3-9 of the Zoning Map to rezone from R-1 to P-D to permit a racquetball and recreation club on property located on the south side of Sylvan Avenue, east of McHenry. Resolution setting public hearing on September 6, 1977 at 4:10 P.M. needed.)

ACTION: Res. 77-834 adopted setting hearing. (Clerk to handle)

CONSENT

30. Recommend additions and revisions to Chapter 4 of Title IV of the Modesto Municipal Code - Subdivision Regulations - regarding zoning and subdivision fee schedules.
(Memo, proposed resolutions (2) and proposed ordinance with agenda. Introduction of ordinance amending the Subdivision Regulations and adoption of resolutions establishing fees for subdivision, parcel maps and fees for zone boundary changes, use permits, variances, and other applications needed.)

ACTION: By motion, Ord. No. 1637-C.S. introduced amending Subdivision Regulations. (Clerk to handle)

Res. 77-835 adopted establishing filing fees for subdivision and parcel maps. (Planning to handle)

Res. 77-836 adopted establishing filing fees for zone boundary changes, use permits, variances, and other applications. (Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

31. Appropriation transfer covering year-end adjustments for carryover projects.
(Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 77-837 adopted approving appropriation transfer of $87,270 Account 5202-210-101 ($4,200); 5401-220-101 ($5,600); 6817-500-101 ($1,700); 6481.04-460-230 ($2,200); 6111-210-321 ($1,300); 6937-210-321 ($12,500); 6248-270-321 ($11,900); 6339-270-321 ($6,000); 6362-270-321 ($1,600); 6415-270-321 ($4,200); 6050-410-321 ($6,700); 6100-410-321 ($1,400); 6788-410-321 ($1,400); 6041-560-321 ($13,700); 60-321 ($11,670) and 6247-328 ($1,200) to Accounts 60-800-101 ($11,500); 60-800-230 ($2,200); 60-800-321 ($60,700); 5301-410-321 ($11,670) and 60-800-328 ($1,200). (Finance to handle

MISCELLANEOUS

32. Legislation.

ACTION: By motion (Lang/Elliott, unan. - Dunlap, absent) SB 555 supported.
By motion (Elliott/Sierkin, unan. - Dunlap, absent) SB 724 opposed.
By motion (Kullijian/Lang, unan. - Dunlap, absent) SB 759 opposed.
By motion (Lang/Messinger, unan. - Dunlap, absent) SB 781 opposed.
By motion (Kullijian/Lang, unan. - Dunlap, absent) SB 1065 opposed.
By motion (Lang/Kullijian, unan. - Dunlap, absent) SB 1237 supported.
(C/Mgr to handle)

33. Appointments.

NONE

34. Matters too late for the agenda.

NONE

Adjourned at 9:40 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 15, 1977 AT 4:00 P.M.

Roll Call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None

Pledge of Allegiance to the Flag
Invocation by Reverend Gary Redfern, Unity Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 6, 7, 8, 9, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33
Item 5 removed from consent
Lang/Mensinger, 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 meeting of August 8, 1977.
(Motion approving needed.)

ACTION: By motion, minutes approved.

CORRESPONDENCE

2. Letter from Stan Cushway regarding the community center site.

ACTION: By motion (Elliott/Kullijian, maj. - Councilmember Dunlap and Mayor Davies, no) staff directed to restudy the community center site location, study to include the downtown former Lincoln School and Merry Garden sites, that consideration be given to a site that will accommodate the total community center complex package, if possible; if not possible, then sites be recommended for separate parts of the community center.

By motion (Mensinger/Siefkin, maj. - Mayor Davies, no) that the staff set up a telephone survey as soon as possible after the data is obtained and publicized to determine public opinion re community center location. (Community Center Task Force to handle)

3. Letter from League of California Cities requesting the names of the City of Modesto's voting delegate and alternate at the annual conference.
(Motion designating voting delegate and alternate needed.)

ACTION: By motion (Siefkin/Elliott, unan.) Mayor Davies designated as voting delegate and Vice Mayor Mensinger designated as alternate to the League of California Cities. (Clerk to handle)

4. Letter and resolution from the City of Stanton relating to the definiation of obscene material.

ACTION: Res. 77-838 adopted (Kullijian/Lang, unan.) urging State Legislature to amend the Penal Code relating to the definition of obscene material, as requested by the City of Stanton. (Clerk to handle)

5. Letter from Great Valley Travel Club requesting permission to operate its aircraft from Modesto City-County Airport/Harry Sham Field. (Motion referring to staff for recommendation needed.)

ACTION: By motion (Kullijian/Dunlap, unan.) request referred to staff for recommendation. (P/W to handle)

CONSENT

6. Appeal by A. Robinson, Chevron Station 6397, appealing a Board of Zoning Adjustment decision concerning a sign. (Resolution setting hearing on September 19, 1977 at 4:00 P.M. needed.)

ACTION: Res. 77-839 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

7. Consider award of contract for construction of Annex at Fire Station No. 1 and approval of appropriation transfer. (Bids were opened on August 9, 1977. The low bid of $168,840.00, submitted by L. E. McGraw Construction, which is 2% over the Engineer's Estimate, is considered acceptable. The costs for the annex and the heating and cooling system, which was approved previously, have been higher than the estimates. It is therefore necessary to provide additional funds. Memo with agenda. Resolution awarding contract to L. E. McGraw Construction needed and resolution approving appropriation transfer needed. Funds are partially budgeted.)

ACTION: Res. 77-840 adopted awarding contract. (P/W to handle)

Res. 77-841 asopted approving appropriation transfer of $15,000 from Account 60-800-321 to Account 6031-210-321. (Finance to handle)

CONSENT

8. Accept as complete Western Pipeline's contract for the construction of waterlines in Wyldewood Grove No. 2. Original: $14,663.60. (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. Actual Cost: $14,473.80 (Main $13,273.80; Services $1,200.000); funds are budgeted.

ACTION: Res. 77-842 adopted accepting contract as complete. (Clerk to handle)

CONSENT

9. Accept as complete Western Pipeline's contract for the construction of waterlines in Eastridge No. 5. Original: $24,643.40. (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. Resolution accepting work as complete needed. Actual Cost: $23,588.65 (Main $22,948.65; Services, $640.00); funds are budgeted.)

ACTION: Res. 77-843 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

10. Hearing on amendment to P-D(139) (Modesto City Hospital) to allow special emergency service signs near the "H" and "G" Street frontages, approximately midway between 17th and 18th Streets. — 4:00 P.M.

ACTION: By motion (Elliott/Kullijian, unan.) Ord. No. 1638-C.S. introduced amending P-D(139). (Clerk to handle)

Res. 77-844 adopted (Elliott/Kullijian, unan.) amending Development Plan (P-D(139). (Planning to handle)

11. Hearing on amendment to Sec. 29-3-9 of the Zoning Map to rezone from C-1 to P-D to allow a commercial office building with three apartment units and underground parking at 1127 - 12th Street. (Don Cowdrey) — 4:05 P.M.

ACTION: By motion (Kullijian/Lang, unan.) Ord. No. 1639-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-845 adopted (Kullijian/Lang, unan.) approving Planned Development P-D(165). (Planning to handle)

Res. 77-846 adopted (Kullijian/Lang, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

12. Hearing on amendment to Sec. 21-3-9 of the Zoning Map to rezone from R-1 to R-2, property located at the north side of East Orangeburg Avenue, between Long Court and El Vecino Avenue, extended, (Montpelier Development) — 4:10 P.M.

ACTION: By motion (Lang/Siefkin, unan.) Ord. No. 1640-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-847 adopted (Lang/Siefkin, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

13. Matters for the good of the community. — 4:15 P.M.
(These may be presented by interested persons in the audience.)

ACTION: Councilmember Dunlap reported on his trip to Washington, D.C. to visit with legislators regarding federal funds.

ORDINANCES

14. Final adoption of Ordinance No. 1632-C.S. prezoning property at Carver and Sheldon Drive (Fanny S. Moreno).
(Motion adopting needed.)

ACTION: By motion (Elliott/Mensinger, maj. - Siefkin, no) Ord. No. 1632-C.S. adopted. (Clerk to handle)

CONSENT

15. Final adoption of Ordinance No. 1637-C.S. relating to fees for development applications.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 1637-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

16. Consider adoption of policy concerning the responsibility for construction costs of new canal crossings in conjuntion with subdivision development.
(The City Council considered this matter at its June 27 meeting at which time it directed staff to prepare a resolution providing for the City to pay the cost for the underground work, and development of the street crossing should be paid for by the developers of adjacent property. At the July 5 Council meeting, Councilman Dunlap asked for this matter to be reconsidered. Memo with agenda, Motion directing staff needed.)

ACTION: By motion (Dunlap/Mensinger, maj. - Elliott, Kullijian and Lang, no) staff instructed to prepare a resolution to provide that developers will pay for canal crossings at the rate of 1/2 of the total cost of the crossing, to be assessed against the properties that will be benefited by the crossings. (P/W to handle)

CONSENT

17. Consider approval of final parcel map of property located on the south side of Standiford Avenue east of Hahn Drive and authorize City Manager to execute on behalf of City.
(This parcel map includes City-owned property (Fire Station No. 6) and property owned by C. J. Rumble and Sons, a corporation. In order to record this parcel map in the Stanislaus County Recorder's Office it must be executed by all owners of the land encompassed by the map. The parcel map is needed to meet the requirements of the Subdivision Map Act and Local Ordinance. Resolution approving final parcel map and authorizing City Manager to execute on behalf of City needed.)

ACTION: Res. 77-848 adopted approving final parcel map. (P/W to handle)

CONSENT

18. Consider approving agreement with State for installing guard rail and signs on Tuolumne at Highway 99 undercrossing.
(Memo with agenda. This agreement authorizes the City to do the work. Later, bids from contractors will be sought by the City. The City will eventually pay 10% of the estimated $18,000 cost. Resolution approving agreement and authorizing its execution needed. Estimated Cost: $18,000; funds are budgeted.)

ACTION: Res. 77-849 adopted approving agreement. (P & T to handle)

CONSENT

19. Consider withdrawing North McHenry No. 3 Addition from the Riverbank Fire Protection District.
(This Addition was annexed to the City effective July 29, 1977. Resolution withdrawing North McHenry No. 3 Addition from fire district needed.)

ACTION: Res. 77-850 adopted withdrawing North McHenry No. 3 Addition from the Riverbank Fire Protection District. (Clerk to handle)

CONSENT

20, Consider determining that the public interest and convenience require that North McHenry No. 3 Addition be annexed to the Modesto Municipal Sewer District No. 1.
(This addition was annexed to the City effective July 29, 1977. Resolution setting October 3, 1977 at 4:00 P.M. for public hearing needed.) (Five affirmative votes needed.)

ACTION: Res. 77-851 adopted setting hearing. (Clerk to handle)

CONSENT
21. Consider approval of City of Modesto's Surplus Property Listing and authorize a public auction to be held August 27, 1977, at the City Corporation Yard.
(Council approval required to sell surplus items of the City of Modesto and items held by the Police Department for six months or longer. Resolution authorizing auction needed.)

ACTION: Res. 77-852 adopted authorizing public auction to be held August 27, 1977 at the City Corporation Yard. (Finance to handle)

CONSENT
22. Consider payment of additional $100.00 for the acquisition of an avigation easement from Homer W. Jorgensen and Ruth C. Jorgensen.
(Memo with agenda. This $100.00 is in addition to the $1,000.00 originally paid the Jorgensen's in 1973. The additional payment is required by the FAA. Resolution authorizing the payment needed. Estimated Cost: $100.00; funds are budgeted.)

ACTION: Res. 77-853 adopted authorizing payment. (Finance to handle)

CONSENT
23. Consider a resolution revising the Position Classification Plan for the City of Modesto. Consider a resolution amending Exhibit "F" of Resolution entitled "A Resolution Establishing Salary Schedules and Fixing Compensation for Positions in the City Service."
(Memo with agenda. Adoption of two resolutions needed.)

ACTION: Res. 77-854 adopted revising Position Classification Plan. (Personnel to handle)

77-660

Res. 77-855 adopted amending Exhibit "F" of Resolution/establishing Salary Schedules. (Personnel to handle)

CONSENT
24. Consider authorizing the City of Modesto joining in amicus curiae briefs in the following cases: Brown v. City of Fremont and Siegel v. City of Oakland.
(Memo with agenda. Two motions authorizing the City of Modesto joining in amicus curiae briefs needed.)

ACTION: By motion, City authorized joining in amicus curiae briefs, case of Brown/Fremont.

By motion, City authorized joining in amicus curiae briefs, case of Siegel/Oakland. (C/Atty to handle)

CONSENT
25. Consider approval of agreement with State for installation of crossing gates on both Bowen and Roseburg at the Tidewater Southern crossings.
(Federal funds will pay $68,850 (90%) and the City will pay $7,650 (10%) of the cost. Tidewater Southern will do the work. Memo with agenda. Resolution approving agreement and authorizing the City Manager to sign it needed. Funds are budgeted.)

ACTION: Res. 77-856 adopted approving agreement. (P & T to handle)

CONSENT
26. Consider changing the east-west alley bounded by Sutter, Tuolumne, Alturas, and Western to one-way.
(Memo with agenda. Residents adjacent to the alley would like it changed to one-way westbound to stop motorists that use the alley as a shortcut. Resolution amending Resolution No. 62-29 and Rescinding Resolution No. 76-891 needed. Estimated Cost: $190; funds are budgeted.)

ACTION: Res. 77-857 adopted amending Res. 62-29 and Rescinding Res. 76-891. (P & T to handle)

CONSENT

27. Consider approval of agreements with Fredricksen, Delamare & Fultz, and Mid-Valley Engineering, Inc, for design of waterlines to subdivisions and miscellaneous projects.
(Previous agreements with these consultants for waterline design expired on June 30, 1977, and they are currently completing work under those agreements. We are still about one month behind in our design, and propose using these consultants on an as-needed basis. This will help us keep up with increased demands for water during this fiscal year. The work will require design for about 25 subdivisions plus miscellaneous projects. Two resolutions approving agreements needed. Estimated Cost: $20,000; funds are budgeted.)

ACTION: Res. 77-858 adopted approving agreement with Fredricksen, Delamare & Fultz.

Res. 77-859 adopted approving agreement with Mid-Valley Engineering. (P/W to handle)

CONSENT

28. Consider acquisition of oxidant analyzer to support AQMP process.
(Additional oxidant measuring stations in Stanislaus County are desirable to provide basic data on which to project future air quality needs. Memo with agenda. Resolution waiving formal bid procedure and authorizing the purchase of oxidant analyzer and recorder needed (five affirmative votes required) and resolution approving fund transfer in the amount of $5,775 needed.)

ACTION: Res. 77-860 adopted waiving formal bid procedure and authorizing purchase. (P/W to handle)

Res. 77-861 adopted approving appropriation transfer of $5,775 from Account 60-800-321 to Account 6942-410-321. (Finance to handle)

CONSENT

29. Consider approval of agreement between the City of Modesto and James Horn Construction Company for accepting sanitary sewage from Peachwood Estates subdivision which is inside the corporate boundary of the City of Ceres.
(The City of Modesto and the City of Ceres are in the process of preparing an agreement to accept sanitary sewage from the area lying south of the Tuolumne Boulevard and east of South Ninth Street and since the agreement has not yet been entered into, the proposed agreement with Horn Construction Company will allow the pending subdivision to be developed prior to the final agreement with Ceres. A sewer trunk line exists to serve the proposed subdivision. No City funds are required. Resolution approving agreement needed.)

ACTION: Res. 77-862 adopted approving agreement. (P/W to handle)

REPORTS

CONSENT

30. Submission of annual summary reports of activities of all City departments for fiscal year 1976-77.
(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, receipt of report acknowledged.

CONSENT

31. Notice of P.G. & E. Application to Increase Gas Rates.
(Memo with agenda. P.G. & E. has applied to the P.U.C. to raise natural gas charges by 4.7% to exactly offset an increase soon to be imposed by Canada. It is recommended that the matter be left to the P.U.C. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

32. Notice of Pacific Telephone Application to Increase Yellow Page Rates.
(Memo with agenda. The application is to increase Yellow Page rates by 13.7% over 31 months. There would be no change in the charges for telephone service. Motion acknowledging receipt of report needed.)

ACTION: (Mayor Davies was excused from consideration of this item due to a conflict of interest and Vice Mayor Mensinger presided)

By motion (Siefkin/Lang, unan. - Mayor Davies, absent) receipt of report acknowledged.

APPROPRIATION TRANSFERS

CONSENT

33. Consider approval of appropriation transfer of $3,360 from the General Reserve to provide funds for maintenance of New Construction Administration Office.
(Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 77-863 adopted approving appropriation transfer of $3,360 from Account 60-300-101 to Account 235-550-101. (Finance to handle)

(Councilmember Siefkin was excused at 6:20 P.M.)

MISCELLANEOUS

34. Legislation.

ACTION: By motion (Lang/Dunlap, unan. - Siefkin, absent) AB 1533 supported.
By motion (Dunlap/Mensinger, unan. - Siefkin, absent) AB 1931 opposed (C/Mgr to handle)

35. Appointments.

NONE

36. Matters too late for the agenda.

NONE

37. Executive session to consider possible property acquisition.

ACTION: Retired to executive session at 6:25 P.M; returned at 6:40 P.M.

Res. 77-864 adopted (Elliott/Dunlap, unan. - Siefkin, absent) approving purchase of the Mann parking deck and garage at 11th and K for $140,000. (C/Atty to handle)

Adjourned at 6:45 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 22, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None

Pledge of Allegiance to the Flag.
Invocation by Dr. Dwight Wadsworth, Dean, Simpson College

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 8, 9, 10, 15, 16, 17, 18, 19, 20, 22, 23, 25, 26, 27, 29, 30, 31
Items 7 and 21 removed from consent
Item 7 heard after Item 12
Dunlap/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 August 15, 1977, City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

BIDS

CONSENT
2. Consider approving specifications and authorizing call for bids to be opened September 13, 1977 at 2:00 P.M. for furnishing 100 high pressure sodium light ballasts.
(Material required as part of the program to modernize City lighting by replacing mercury vapor lamps with high pressure sodium lamps. Resolution authorizing call for bids needed. Estimated Cost: $5,000.00; funds are budgeted.)

ACTION: Res. 77-865 adopted approving specifications and bid call. (Finance to handle)

CONSENT
3. Consider approval of plans, specifications and call for bids for the construction of waterlines in Persian Terrace No. 2 and Westridge No. 1. (Suggested bid opening date: September 6, 1977 at 11:00 A.M.)

Costs and Revenues	Persian Terrace No. 2	Westridge No. 1
Construction	$39,415	$107,459
Connection Charges	13,200	16,280
Net Revenues	1,044	1,288

Resolution approving plans and specifications and call for bids needed. Estimated Cost: $146,874 ($132,699 Contract, $14,175 Eng. & Materials); funds are budgeted.)

ACTION: Res. 77-866 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

4. Consider award of contract for installation of Downey Park play area equipment.
(Bids were opened on August 9, 1977. The low bid submitted by Bibens Nursery Company, which is 8% above the Engineer's Estimate is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding contract to Bibens Nursery Company needed. Estimated Cost: $39,397.00; funds are budgeted.)

ACTION: Res. 77-867 adopted awarding contract to Bibens Nursery Company. (P/W to handle)

CONSENT

5. Consider award of contract for construction of waterlines in Grand Prix Estates, Hillsboro Park No. 1 and Springcreek No. 2.
(Bids were opened on August 16, 1977. The low bid of $102,000, submitted by Western Pipeline Co. is 2% above the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Western Pipeline Co., Inc. needed. Funds are budgeted.)

ACTION: Res. 77-868 adopted awarding contract to Western Pipeline Co. (P/W to handle)

CONSENT

6. 1) Consider declaring Argonaut Products lowest bidder meeting specifications and authorizing the purchase of 26 light bars for the total price of $9,232.60.
2) Consider declaring 22 sirens and 26 rotating beams surplus property and authorizing Purchasing Officer to sell to tax supported agencies or highest bidder.
(Memo with agenda. Resolution authorizing purchase of light bars needed and resolution authorizing sale of surplus equipment needed. Funds are budgeted.)

ACTION: Res. 77-869 adopted awarding contract to Argonaut Products.

Res. 77-870 adopted authorizing sale of surplus equipment. (Finance to handle)

7. Consider award of contract for Asphalt Concrete Surfacing Various Residential Alleys, Project No. 6.
(Bids were opened August 16, 1977. The low bid of $14,073, submitted by the Flintkote Company, is 12% below the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Memo with agenda. Resolution awarding contract to the Flintkote Company needed. Estimated Cost: $15,668.00 (Contract $14,073.00; Engineering & Cont. $1,595.00); funds are budgeted.)

ACTION: Res. 77-881 adopted (Dunlap/Elliott, unan.) awarding contract to The Flintkote Company. (P/W to handle)

CONSENT

8. Consider award of contract for Asphalt Concrete Resurfacing Various City Streets, 1977-78.
(Bids were opened August 16, 1977. The low bid, submitted by George Reed, Inc., is 19.41% below the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to George Reed, Inc. needed. Estimated Cost: $119,063 (Contract $108,926, Engineering $10,137); funds are budgeted.)

ACTION: Res. 77-871 adopted awarding contract to George Reed, Inc. (P/W to handle)

CONSENT

9. Consider accepting the Vintage Faire traffic signal project complete and authorizing City Clerk to file Notice of Completion. (Memo with agenda. The final contract price is $119,107.71. The project cost is being financed entirely by Ernest W. Hahn, Inc. Resolution accepting project as complete and authorizing the City Clerk to file a Notice of Completion needed. Funds are budgeted.)

ACTION: Res. 77-872 adopted accepting contract as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of Camanche Corporation's contract for construction of access road to E. La Loma Park. Original Contract: $23,330.00. (All work on this project has been completed to the satisfaction of the Parks and Recreation Department and 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. 77-873 adopted accepting work as complete. (Clerk to handle)

HEARINGS

11. Hearing on appeal by N. S. Construction Co. to decision of Planning Commission regarding re-zoning R-2 to P-D, to allow an additional five apartment units above what is allowed in the present R-2 zoning for a total of 18 apartment units and off-street parking, property located between Fairmont and Corson Avenues, east of McHenry Avenue. 7:30 P.M.

ACTION: Res. 77-874 adopted (Dunlap/Siefkin, maj. - Elliott, no) denying appeal. (Planning to handle)

12. Hearings on orders to repair alleys at the following locations, Project No. 6: 7:35 P.M.

(a) Block 553 - McHenry/Elmwood - Stoddard/Elmwood Ct.

ACTION: Res. 77-875 adopted (Elliott/Dunlap, unan.) ordering work done. (P/W to handle)

(b) Block 6075 - Orangeburg/Pearl - Tully/Tebbutt.

ACTION: Res. 77-876 adopted (Elliott/Dunlap, unan.) ordering work done. (P/W to handle)

(c) Block 6628 - Mount Vernon/Kingsbury - Uhlig/Hemminger.

ACTION: Res. 77-877 adopted (Elliott/Dunlap, unan.) ordering work done. (P/W to handle)

(d) Block 6701 - Briggsmore/Bispo - Tully/Winning.

ACTION: Res. 77-878 adopted (Elliott/Dunlap, unan.) ordering work done. (P/W to handle)

(e) Block 6805 - Enslen/La Villa Rose Ct. - Ralston/Bowen.

ACTION: Res. 77-879 adopted (Elliott/Dunlap, unan.) ordering work done. (P/W to handle)

(f) Block 6834 - Sherwood/McHenry - Fleetwood/Leveland.

ACTION: Res. 77-880 adopted (Elliott/Dunlap, unan.) ordering work done. (P/W to handle)

13. Continued informal hearing on proposed school financing. 7:35 P.M.

ACTION: By motion (Siefkin/Elliott, maj. - Dunlap, Kullijian and Mayor Davies, no) Ord. No. 1641-C.S. introduced providing for the payment of taxes in connection with construction of dwelling units, the deposit of such taxes in a school site and facilities tax fund and the use of such fund for school site acquisition and improvement and buildings. (Clerk to handle)

By motion (Elliott/Lang, maj. - Siefkin, no) to include in the procedures to be adopted a non-voting homebuilding industry representative on the Advisory Committee; the representative to be recommended by the industry, appointed by the Mayor, with the concurrence of the Council.

Res. 77-882 adopted (Elliott/Siefkin, maj. - Dunlap, Kullijian and Mayor Davies, no) adopting procedures. (C/Atty to handle)

By motion (Mensinger/Siefkin) that the prior approval of the Orchard Neighborhood E.I.R. on July 25 be vacated because it should not have taken place prior to the school mitigation action and that it be tabled until E.P.A. requirements relative to the wastewater project E.I.R. are fully met failed to carry."

14. Matters for the good of the community. 7:40 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT
15. Final adoption of the following:
(Motions adopting needed)

(a) Ord. No. 1638-C.S. relating to emergency service signs, Modesto City Hospital.

ACTION: By motion, Ord. No. 1638-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1639-C.S. rezoning property at 1127 - 12th Street, Don Cowdrey.

ACTION: By motion, Ord. No. 1639-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1640-C.S. rezoning property on E. Orangeburg Avenue between Long Court and El Vecino, Montpelier Development Co.

ACTION: By motion, Ord. No. 1640-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT
16. Consider renewal of agreement between City of Modesto and University of California, Albany, to provide a biological pest control program for the City's street trees.
(Memo with agenda. Resolution approving agreement needed. Estimated Cost: $10,000; funds are budgeted.)

ACTION: Res. 77-883 adopted approving agreement. (P & R to handle)

CONSENT

17. Consider approval of the final map of the Oakmont 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. (Subdivider: Fries AM Corporation)
(The subdivision agreement has been signed and all fees paid. Oakmont No. 3 subdivision is located south of Edgebrook Drive, west of Phoenix Avenue. It contains 10.280 acres. Resolution approving final map needed.)

ACTION: Res. 77-884 adopted approving final map. (Clerk to handle)

CONSENT

18. Consider approval of the final map of the Oakmont 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. (Subdivider: Fries AM Corporation)
(The subdivision agreement has been signed and all fees paid. Oakmont No. 4 subdivision is located south of Edgebrook Drive, west of Phoenix Avenue. It contains 9.586 acres. Resolution approving final map needed.)

ACTION: Res. 77-885 adopted approving final map. (Clerk to handle)

CONSENT

19. Consider approval of the final map of the College West 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. (Subdivider: Alcal Financial Corporation)
(The subdivision agreement has been signed and all fees paid. College West No. 2 subdivision is located on the south side of Blue Gum, west of Poust Road. It contains 15.936 acres. Resolution approving final map needed.)

ACTION: Res. 77-886 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider acceptance of improvements in Eastridge No. 5 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Paul Zagaris)
(Eastridge No. 5 subdivision is located north of Scenic Drive and west of Lakewood 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. 77-887 adopted accepting improvements as complete. (Clerk to handle)

21. Consider authorizing the submission of an application to the State Division of Aeronautics for funding of a fly-in parking apron at the Modesto City-County Airport/Harry Sham Field.
(Plans have been formulated for developing a fly-in access to the proposed Tuolumne River Regional Park utilitizing State Division of Aeronautics funding. Memo dated August 11, 1977 from the Airport Manager with agenda. Resolution authorizing the Airport Manager to make application to the State Division of Aeronautics for funding needed.)

ACTION: Res. 77-888 adopted (Dunlap/Mensinger, maj. - Kullijian, Siefkin, and Mayor Davies, no) authorizing submission of application. (P/W to handle)

CONSENT

22. Consider request for water service to property at 1321 Carpenter, located on the west side of Carpenter Road between Woodland Avenue and Shaddox Road. Owners: Leon L. Plante and Katie B. Plante. (The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a water main exists to serve the property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 77-889 adopted approving agreement. (Clerk to handle)

CONSENT

23. Consider authorization to pay Paul M. Zagaris, subdivider of Eastridge No. 5 subdivision, for street improvements installed on Middleboro Place adjacent to a City park.
(The subdivider of Eastridge No. 5 subdivision installed the street improvements adjacent to the City park on Middleboro Place in error while constructing improvements for his subdivision. Letter with cost breakdown from Mid-Valley Engineering requesting payment to their client with agenda. The amount is $4,933.06. The unit cost figures shown in the attached letter are very reasonable for this type of work. The staff recommends payment to the subdivider. Resolution authorizing staff to pay Paul M. Zagaris needed. Estimated Cost: $4,933.06; funds are budgeted.)

ACTION: Res. 77-890 adopted authorizing payment to Paul M. Zagaris. (P/W/Finance to handle)

24. Proposed agreement with Modesto Senior Citizens, Inc., for the expansion and remodeling of the Senior Citizens Center at 211 Bodem Street.
(Memo with agenda. Estimated Cost: $215,000.)

ACTION: By motion (Kullijian/Lang, unan.) staff directed to revise agreement to eliminate new kitchen and provide only for remodeling of present kitchen. (P & R to handle)

CONSENT

25. Consider approval of transit marketing grant application to implement Ilium Plan.
(Memo with agenda. The application is for $74,100 for a Bus Transportation Demonstration Project under State Senate Bill 283 to implement marketing improvements in the draft Ilium Plan. Motion authorizing staff to submit the application needed. No cost to City.)

ACTION: By motion, staff authorized to submit application. (P & T to handle)

CONSENT

26. Consider approval of agreement with J. H. Kleinfelder and Associates for testing of miscellaneous projects at Modesto City-County Airport - FAA-ADAP Project No. 8-06-0153-05.
(A federally funded project to construct miscellaneous projects at Modesto City-County Airport was awarded to George Reed, Inc. on June 20, 1977. We wish to enter into an agreement with Kleinfelder and Associates for various testing of concrete, asphalt and soils on this project. Resolution approving agreement needed. Estimated Cost: $6,200; funds are budgeted.)

ACTION: Res. 77-891 adopted approving agreement. (P/W to handle)

REPORTS

CONSENT

27. Report on request for mid-block crosswalk on Coolidge west of McHenry. (Memo with agenda. Request stemmed from a developer's desire to meet City Code requirement that parking be within 400' walking distance of the building it serves. The developer has now withdrawn the request as he has acquired other property. No action required.)

NO ACTION

28. Report on the 1977-78 City assessed values and tax rates. (Report with agenda. Ordinance setting tax rates needed.)

ACTION: By motion (Elliott/Kullijian, unan.) Ord. No. 1642-C.S. adopted setting tax rate. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

29. Recommend to the Council an amendment to Section 30-3-9 to prezone to M-1.
(On August 2, 1977, the Planning Commission adopted Res. 77-140 recommending to the City Council an amendment to Section 30-3-9 of the Zoning Map to prezone to M-1, property located in the Kansas Avenue-Carpenter Road area. Resolution setting public hearing on September 19, 1977 at 4:05 P.M. needed.)

ACTION: Res. 77-892 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFER

CONSENT

30. Request for transfer of $2,625 to replace roof of old "Firehouse" at 416 Downey Avenue.
(At the May 24, 1977 Council meeting, the Council directed staff to inspect and repair or replace the roof of the old "Firehouse" as conditions warranted. This was not budgeted for. Resolution approving appropriation transfer needed.)

ACTION: Res. 77-893 adopted approving appropriation transfer of $2,625 from Account 60-800-101 to Account 224-350-101. (Finance to handle)

CONSENT

31. Consider request for transfer of $650 from the General Reserve Fund to Management Services - Word Processing Center. Funds are needed to purchase a voltage stabilizer for microfilm cameras and equipment. (Memo with agenda. Resolution approving appropriation transfer of $650 needed.)

ACTION: Res. 77-894 adopted approving appropriation transfer of $650 from Account 60-800-101 to Account 5508-110-101. (Finance to handle)

MISCELLANEOUS

32. Legislation.

ACTION: By motion (Kullijian/Elliott, unan.) AB 892 opposed.
By motion (Lang/Siefkin, unan.) SB 1164 opposed.
(C/Mgr to handle)

33. Appointments.

NONE

34. Matters too late for the agenda.

Councilmember Kullijian received a letter from Harvey Highiet re new golf course.

ACTION: None.

Councilmember Kullijian received a petition from City of Long Beach re no fault insurance asking/we support at League of California Cities Conference. that

ACTION: By motion (Mensinger/Siefkin, maj.) take no action until after all League resolutions are received.

Adjourned at 10:25 P.M.

ATTEST: Judy C. Hall
JUDY C. HALL
Acting City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 6, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Lang, Mensinger, Siefkin, Mayor Davies
Absent: Councilmember Kullijian

Pledge of Allegiance to the Flag
Invocation by Reverend John Becker, Geneva Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 46, 47, 48, 49, 50
Items 2 and 4 removed from consent
Dunlap/Lang, unan. - Kullijian, absent

(Information concerning the consent items listed above has been forwarded to each councilmember prior to thismeeting 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 "Distinguished Service Award" plaques to Dr. Walker Halliday, former chairman of the Downtown Improvement District Advisory Board, and Ray Whitgrove, former chairman of the Personnel Commission.

ACTION: Mayor Davies presented plaques to Dr. Walker Halliday and Ray Whitgrove.

MINUTES

2. Approval of minutes of the August 22, 1977 City Council meeting. (Motion approving needed.)

ACTION: By motion (Mensinger/Elliott, unan. - Kullijian, absent) minutes approved as corrected to show that the third motion on Item 13 would read "A motion (Mensinger/Siefkin) that the prior approval of the Orchard Neighborhood E.I.R. on July 25 be vacated because it should not have taken place prior to the school mitigation action and that it be tabled until E.P.A. requirements relative to the wastewater project E.I.R. are fully met failed to carry." (Clerk to handle)

COMMUNICATIONS

CONSENT

3. Appeal by Allen Grant, Inc. to Planning Commission decision regarding rezoning property on Yosemite Boulevard west of Capistrano Drive from P-D(77) to P-O.
(Resolution setting hearing on October 3, 1977 at 4:15 P.M. needed.)

ACTION: Res. 77-895 adopted setting hearing. (Clerk to handle)

4. Request from Richard L. Belt, Chairman, Stanislaus County Bicentennial Committee for permission to place the approximately $500 left in the Committee's account in a savings and loan association, with the money and interest to be used for the tricentennial activities.
(Motion approving request needed.)

ACTION: A motion (Elliott/Dunlap) that the money be returned to the City's General Fund failed to carry.
By motion (Lang/Mensinger, unan. - Kullijian, absent) this item carried over to the September 19, 1977 Council meeting. (Clerk to handle)

5. Letter from Betty and Frank Muench regarding telephone solicitation.

NO ACTION TAKEN

CONSENT
6. Application by Geoffrey C. Hutcheson, Attorney for Cutis Brumley, to file a late claim against the City of Modesto alleging damages during a police officer's investigation of a marital dispute. (Resolution denying request needed.)

ACTION: Res. 77-896 adopted rejecting application to file late claim. (Clerk to handle)

CONSENT
7. Appeal by Katherine McMillin to Board of Zoning Adjustment decision regarding a conditional use permit for a rest home at the corner of West Roseburg Avenue and Wellesley Way. (Resolution setting hearing on October 3, 1977 at 5:00 P.M. needed)

ACTION: Res. 77-897 adopted setting hearing. (Clerk to handle)

CONSENT
8. Appeal by Stone Bros. & Associates to portions of the Planning Commission's decision regarding zoning of property west of Coffee Road and north of Sylvan Avenue. (Resolution setting hearing on October 10, 1977 at 7:30 P.M. needed.)

ACTION: Res. 77-898 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT
9. Approve specifications and call for bids on collator-sorter. (Memo with agenda. The specifications provide for a 100-bin collator-sorter with automatic feeder for collating and sorting printed materials. Resolution approving specifications and calling for bids on October 4, 1977 at 2:15 P.M. needed. Estimated Cost: $10,500; funds are budgeted.)

ACTION: Res. 77-899 adopted approving specifications and call for bids. (P/T to handle)

CONSENT
10. Consider approval of plans and specifications and call for bids for Graceada Park tennis court resurfacing. (Suggested bid opening date: September 20, 1977 at 11:05 A.M. This construction has been budgeted to provide for the resurfacing of the existing Graceada tennis courts. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $17,206 (Const. $16,518, Engr. $688); funds are budgeted.)

ACTION: Res. 77-900 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
11. Consider approval of plans and specifications and call for bids for the upgrading of tennis court lighting at Graceada Park. (Suggested bid opening date: September 20, 1977 at 11:00 A.M. This construction has been budgeted to provide for upgrading of the tennis court lighting at Graceada Park. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $17,979.00 (Const. $15,634.00, Engr. $2,345.00); funds are

CONSENT
11. (continued from page 2)
budgeted. Appropriate budget transfer will be made if necessary after bid opening.)

ACTION: Res. 77-901 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
12. Approve plans and specifications and call for bids for revised street light circuit on McHenry Avenue between Orangeburg Avenue and Briggsmore Avenue.
(Bid opening: September 27, 1977 at 11:00 A.M. This project will complete the street light circuit revision and street light updating on McHenry Avenue from Needham to Briggsmore. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $14,999 (Contract $13,885, Engr. & Incid. $1,114); funds are budgeted.)

ACTION: Res. 77-902 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
13. Consider approval of plans and specifications and call for bids for construction of subtrunk sewer in McHenry Avenue from Union Avenue to Coralwood Road.
(Suggested bid opening: September 20, 1977 at 11:15 A.M. This project will provide sewer to the proposed Mobilepark West Development. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $33,105 ($31,505 Contract, $1,600 Engineering); funds are budgeted.)

ACTION: Res. 77-903 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
14. Consider approval of plans and specifications and call for bids for the construction of waterlines in Continental Plaza, Hillsboro East, and Lincoln Square No. 6.
(Suggested bid opening: September 20, 1977 at 11:10 A.M.

Costs and Revenues	Continental Plaza	Hillsboro	Lincoln Sq. #6
Construction	$13,156	$33,251	$53,980
Connection Charges	2,200	10,340	24,860
Net Revenue	174	818	1,966

Resolution approving plans and specifications and call for bids needed. Estimated Cost: $100,387 ($86,291 Contract, $14,096 Engr. & Mat'ls.)

ACTION: Res. 77-904 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
15. Consider award of contract for raising manholes and valve boxes in McHenry Avenue, between Helen Avenue and Leveland Lane and between Warren Way and Union Avenue.
(Bids were opened August 23, 1977. The low bid of $14,852, submitted by George Reed, Inc. is 17% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to George Reed, Inc. needed. Funds are budgeted)

ACTION: Res. 77-905 adopted awarding contract to George Reed, Inc. (P/W to handle)

CONSENT

16. Consider acceptance of Lee Cain's contract for construction of Public Improvements - Housing Target Area Stage 2. Original Contract: $70,968.25.
(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. Estimated Cost: Contract: $74,049.65. Funds are budgeted.)

ACTION: Res. 77-906 adopted accepting contract as complete. (Clerk to handle)

CONSENT

17. Consider acceptance of Joe Martin's contract for construction of waterlines in Scott Estates. Original Contract: $62,895.00.
(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. Final Cost: Contract: $63,741.90 (Main $60,321.90, Services $3,420); funds are budgeted.)

ACTION: Res. 77-907 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

18. Hearing on amendment to Sec. 11-3-8 of the Zoning Map to rezone from R-1 to P-D to allow construction of motel-restaurant, commercial structure, and multi-family residential complex, property located on east side of Sisk Road, northwest of Standiford Avenue. (T.M.I. Corporation) — 4:00 P.M.

ACTION: By motion (Elliott/Lang, unan. - Kullijian, absent) Ord. No. 1643-C.S. introduced rezoning area. (Clerk to handle)
(Elliott/Lang, unan. - Kullijian, absent)
Res. 77-908 adopted/approving Planned Development P-D(166). (Planning to handle)

Res. 77-909 adopted (Elliott/Lang, unan. - Kullijian, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

19. Hearing on appeal by Sign Designs, Inc. to Board of Zoning Adjustment's decision regarding a request for a freestanding sign for John Bettencourt Used Cars. — 4:05 P.M.

ACTION: Res. 77-910 adopted (Dunlap/Siefkin, maj. - Lang, no - Kullijian, absent) denying appeal. (Planning to handle)

20. Hearing on amendment to Sec. 9-3-9 of the Zoning Map to rezone from R-1 to P-D to permit a racquetball and recreation club on property located on the south side of Sylvan Avenue, east of McHenry. (Dennis Cummins) — 4:10 P.M.

ACTION: By motion (Lang/Elliott, unan. - Kullijian, absent) Ord. No. 1644-C.S. introduced rezoning area. (Clerk to handle)
Res. 77-911 adopted (Lang/Elliott, unan. - Kullijian, absent) approving Planned Development P-D(164). (Planning to handle)
Res. 77-912 adopted (Lang/Elliott, unan. - Kullijian, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

21. Matters for the good of the community. 4:15 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

22. Final adoption of Ordinance 1636-C.S. rezoning property on Woodland between Rosemore and Bennett from R-1 to P-D(167).
(Paul Zagaris)
(Motion adopting needed)

ACTION: By motion (Lang/Elliott, maj. - Siefkin, no - Kullijian, absent) Ord. No. 1636-C.S. adopted. (Clerk to handle)

23. Final adoption of Ordinance No. 1641-C.S. adding provisions concerning the "School Site and Facilities Tax" to the Modesto Municipal Code.
(Motion adopting needed.)

ACTION: By motion (Lang/Elliott, maj. - Dunlap and Mayor Davies, no - Kullijian, absent) Ord. No. 1641-C.S. adopted. (Clerk to handle)

CONSENT
24. Consider adoption of ordinance establishing encroachment policy for public right of way.
(Council considered this matter at its August 1, 1977 meeting and directed staff to prepare necessary ordinance to implement policy. Copy of memo giving background on ordinance with agenda. Introduction of ordinance needed.)

ACTION: Ord. No. 1645-C.S. introduced establishing encroachment policy for public right of way. (Clerk to handle)

NEW BUSINESS

CONSENT
25. Consider authorizing staff to seek M.I.D. participation in relocating well from within the roadway on Sylvan Avenue.
(Memo with agenda. The project estimated at $30,000 is to be partially funded by a Federal grant. To lower City's cost, it is recommended that M.I.D. participation be sought for the $12,000 or so not funded by the Federal government. Motion authorizing staff to seek M.I.D. participation in relocating irrigation well from Sylvan needed.)

ACTION: By motion, recommendation approved. (P & T to handle.)

CONSENT
26. Consider continuation of grant to Senior Opportunity Service Program.
(Memo with agenda. Approve new agreement with S.O.S.P. retroactive to July 1, 1977 through December 31, 1977 and month-to-month thereafter to provide transportation service to senior citizens over age 60. The City will pay S.O.S.P. $450 per month for this service. Resolution approving agreement needed. Estimated Cost: $2,700 through 12-31-77 and $450 per month thereafter; funds are budgeted.)

ACTION: Res. 77-913 adopted approving agreement. (P & T to handle)

CONSENT

27. Recommendation that the City of Modesto enter into a contract with Public Employees' Retirement System to do an actuarial study to determine the cost of amending the City's P.E.R.S. contract. (Memo with agenda. Resolution approving contract with P.E.R.S. needed and resolution approving the appropriation transfer needed. Estimated Cost: $753.00)

ACTION: Res. 77-914 adopted approving contract with P.E.R.S. (Personnel to handle)

Res. 77-915 adopted approving appropriation transfer of $753 from Account 60-800-101 to Account 421-100-101. (Finance to handle)

CONSENT

28. Consider agreement with Mr. and Mrs. Perry Nichols for the purchase of 0.11± acres of right of way needed for Evergreen/Angela to Carver project.
(Mr. and Mrs. Nichols have agreed to sell the needed right of way for $2,400, which is the appraised value of the right of way. Resolution accepting property and approving agreement with the Nichols needed. Funds are budgeted.)

ACTION: Res. 77-916 adopted approving agreement. (P/W to handle)

CONSENT

29. Consider agreement with Edward and Velma Johnson for the purchase of a 0.66± acre permanent easement and a 0.40± acre temporary easement.
(The Johnsons have agreed to convey these easements to the City for the appraised value of $8,750.00. The easements are needed for the Scenic-Sonoma storm drain. The Johnsons will retain possession of the subject easement until October 5, 1977 so they can harvest the walnuts located in the easement. The walnut trees will be removed by the construction. Resolution accepting easements needed and resolution approving appropriation transfer of $6,134.00 needed. Funds are partially budgeted.)

ACTION: Res. 77-917 adopted approving agreement. (P/W to handle)

Res. 77-918 adopted approving appropriation transfer of $6,134 from Account 800-321 to Account 6014-410-321. (Finance to handle)

CONSENT

30. Consider agreements with LaVerne E. Paul, et ux, and Ivia J. Spillman for the purchase of their real property for Del Webb soccer field. (Memo with agenda. Resolutions accepting properties needed and approving agreements with the Pauls and Mrs. Spillman needed. Estimated Cost: Paul - $17,000; Spillman - $13,425; Escrows - $800; Total - $31,225; funds are budgeted.)

ACTION: Res. 77-919 adopted approving agreement with LaVerne E. Paul, et ux.

Res. 77-920 adopted approving agreement with Ivia J. Spillman. (P/W to handle)

CONSENT

31. Consider retaining Tawalimni Engineering to perform surveying horizontal and vertical control at the Wastewater Treatment Plant Oxidation Ponding Site.
(In conjunction with the proposed addition of aerators at the oxidation ponding site, it is necessary that surveying work be performed. Tawalimni Engineering has agreed to perform the necessary work at a cost not to exceed $6,000. It is the Public Works staff's opinion this figure is reasonable and it is recommended a purchase order be authorized to them. See memo dated August 19, 1977 from the Water Quality Control Superintendent with agenda. Resolution authorizing purchase order needed. Funds are budgeted.)

ACTION: Res. 77-921 adopted authorizing purchase order to Tawalimni Engineering. (P/W and Finance to handle)

CONSENT

32. Consider request for sewer service to property at 1508 E. Coolidge Avenue, located on the southeast corner of Lorry Avenue and E. Coolidge Avenue. Owner: Bonnie Mihelis.
(The property owner has signed an agreement to annex when requested to do so by City. The property is not contiguous to City. However, a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 77-922 adopted approving agreement. (Clerk to handle)

CONSENT

33. Consider request for water service to property outside City limits at 553 Lincoln Avenue, located on the west side of Lincoln Avenue, north of Penny Lane. Owners: Arnold C. Dickens and Helen J. Dickens.
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to City and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 77-923 adopted approving agreement. (Clerk to handle)

CONSENT

34. Consider approving agreement with State covering installation of traffic signals on Briggsmore/Carpenter overpass.
(Memo with agenda. The signals, estimated to cost $87,000, are to be installed entirely at State expense. The energy and maintenance costs will be shared. Resolution approving agreement needed. Estimated Cost: $600/year; funds are budgeted.)

ACTION: Res. 77-924 adopted approving agreement. (P & T to handle)

CONSENT

35. Consider Deferred Compensation Plan custodial agreement with Great Western Savings and Loan Association.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 77-925 adopted approving agreement. (Finance to handle)

CONSENT

36. Consider setting hearing on request of City Hall contractor, R. G. Fisher, to substitute masonry subcontractor.
(Memo with agenda. Resolution setting hearing on September 12, 1977 at 7:55 P.M. needed.)

ACTION: Res. 77-926 adopted setting hearing. (Clerk to handle)

CONSENT
37. Consider acceptance of improvements in Almond Tree No. 1 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Richard Rawe and Gordin Snyder)
(Almond Tree No. 1 subdivision is located north of Sylvan, west of Rexford Drive. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 77-927 adopted accepting improvements as complete. (Clerk to handle)

CONSENT
38. Consider withdrawing Coffee-Coolidge Addition from the McHenry-Dry Creek Fire District.
(This addition was annexed to the City of Modesto effective August 16, 1977. Resolution withdrawing Coffee-Coolidge Addition from McHenry-Dry Creek Fire District needed.)

ACTION: Res. 77-928 adopted withdrawing Coffee-Coolidge Addition from the McHenry-Dry Creek Fire District. (Clerk to handle)

CONSENT
39. Consider determining that the public interest and convenience require that the Coffee-Coolidge Addition be annexed to Modesto Municipal Sewer District No. 1.
(This addition was annexed to the City of Modesto effective August 16, 1977. Resolution setting October 17, 1977 at 4:05 P.M. for public hearing needed.) (Five affirmative votes needed.)

ACTION: Res. 77-929 adopted annexing Coffee-Coolidge Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

CONSENT
40. Consider withdrawing El Vista-Ellis Addition from the Empire Fire District.
(This addition was annexed to the City of Modesto effective August 16, 1977. Resolution withdrawing El Vista-Ellis Addition from the Empire Fire District needed.)

ACTION: Res. 77-930 adopted withdrawing El Vista-Ellis Addition from the Empire Fire District. (Clerk to handle)

CONSENT
41. Consider determining that the public interest and convenience require that the El Vista-Ellis Addition be annexed to Modesto Municipal Sewer District No. 1.
(This addition was annexed to the City of Modesto effective August 16, 1977. Resolution setting October 17, 1977 at 4:00 P.M. for public hearing needed.) (Five affirmative votes needed.)

ACTION: Res. 77-931 adopted annexing El Vista-Ellis Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

CONSENT
42. Consider approval of the final map of the North Hampton 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. (Subdivider: Joe H. Tidwell and Lois Tidwell, James B. Johnston and Shirley L. Johnston.)
(The subdivision agreement has been signed and all fees paid. North Hampton Park No. 4 subdividion is located on the east side of Rexford Drive, north of Sylvan Avenue. It contains 13.325 acres. Resolution approving final map needed.)

CONSENT
42. Consider approval of the final map of the North Hampton Park No. 4, continued.

ACTION: Res. 77-932 adopted approving final map. (Clerk to handle)

REPORTS

CONSENT
43. Consider proposed fare increase by Swift Aire Lines.
(The City has been notified that the State Public Utilities Commission has received an application from Swift Aire Lines for authority to increase its intra-state passenger fares on an ex parte basis. This request would result in an increase of 5.48% between Modesto and San Francisco and between Modesto and Fresno. The staff has reviewed this application and it is recommended the City remain neutral on this matter. Memo from the Airport Manager with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT
44. Notice of Trailways application to increase bus fares.
(Memo with agenda. The increase would be 5.2%. It is recommended that the matter be left to P.U.C. to handle. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

45. Analysis of Community Center locations.
(Report of the Community Center Task Force on potential center locations and other related matters. Motion authorizing staff to proceed with recommendations on use study and opinion survey needed.)

ACTION: By motion (Lang/Siefkin, unan. - Kullijian, absent) staff authorized to proceed. (Planning to handle)

By motion (Siefkin/Dunlap, unan. - Kullijian, absent) task force report to be sent to the Community Center mailing list with a letter outlining the discussion regarding parking and what additional steps will be taken based on Council action today. (Planning to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT
46. Recommend to Council an amendment to Section 16-3-9 of the Zoning Map - Modesto Christian Estates, Inc.
(On August 16, 1977, the Planning Commission adopted Res. 77-154 recommending to the City Council an amendment to Section 16-3-9 of the Zoning Map to rezone from R-1 to P-D to permit construction of a 150-dwelling unit senior citizens housing project, property located on the south side of Norwegian Avenue, opposite Gordon. Resolution setting public hearing at 4:10 P.M. on Monday, October 3, 1977 needed.)

ACTION: Res. 77-933 adopted setting hearing. (Clerk to handle)

CONSENT

47. Recommend to Council an amendment to Section 27-3-9 of the Zoning Map - Land Bank Financial Services and Richard Brehmer.
(On August 16, 1977, the Planning Commission adopted Res. No. 77-156 recommending to the City Council an amendment to Section 27-3-9 of the Zoning Map to rezone from R-1 to P-D to allow a 28-unit 2-story apartment on property located at the northwest corner of Scenic Drive and Rose Avenue. Resolution setting public hearing at 4:05 P.M. on Monday, October 3, 1977 needed.)

ACTION: Res. 77-934 adopted setting hearing. (Clerk to handle)

CONSENT

48. Recommend to Council an amendment to Section 9-3-9 of the Zoning Map - Stone Bros.
(On August 16, 1977, the Planning Commission adopted Res. No. 77-152 recommending to the City Council an amendment to Section 9-3-9 of the Zoning Map to rezone from R-1 to P-O, R-2, R-3 and P-D to allow one and two story zero lot line single-family residential subdivision, property located on the west side of Coffee Road and on the north side of Sylvan Avenue. Resolution setting public hearing October 10, 1977 at 7:30 P.M. needed.)

ACTION: Res. 77-935 adopted setting hearing. (Clerk to handle)

CONSENT

49. Recommend to Council an amendment to Section 23-3-9 of the Zoning Map - Gary Davis.
(On August 16, 1977, the Planning Commission adopted Res. 77-153 recommending to the City Council an amendment to Section 23-3-9 of the Zoning Map to prezone to P-D(170) to permit construction of a tennis club property located on the north side of Scenic Drive east of Oakdale Road. Resolution setting public hearing on October 10, 1977 at 7:40 P.M. needed.)

ACTION: Res. 77-936 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

50. Consider approval of an appropriation transfer from the General Reserve to Account 6819-500-101, Renew Pump Station 16.
(Water Pump Station 16 is located at Briggsmore Avenue and Ardmore. Replacement of the station was budgeted in 1976-77 and construction is underway at this time. Funds are needed for inspection, work by City and contingencies. Resolution approving appropriation transfer needed.)

ACTION: Res. 77-937 adopted approving appropriation transfer of $5,000 from Account 60-800-101 to Account 6819-500-101. (Finance to handle)

MISCELLANEOUS

51. Legislation.

NONE

52. Appointments.

NONE

53. Matters too late for the agenda.

NONE

Adjourned at 5:50 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 12, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin
Absent: Mayor Davies

Pledge of Allegiance to the Flag
Invocation by Reverend Howard Clarke, Second Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items: 1, 4, 5, 6, 12, 13, 14, 15
Dunlap/Lang, unan. - Mayor Davies, 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 September 6, 1977. (Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Culture Commission regarding financing restoration of McHenry Mansion.

ACTION: By motion (Kullijian/Siefkin, unan. - Mayor Davies, absent) funding report approved.

3. Request from Abundant Life Center, Inc., for permission to hold a sidewalk sale.

ACTION: By Order of the Chair, this item dropped at the request of the Director of the Abundant Life Center.

BIDS

CONSENT
4. Consider approval of specifications and authorize call for bids to be opened October 11, 1977 at 2:00 P.M. for furnishing six roll-over protection cages.
(Material will be purchased for the Service Division and will be used on six pieces of heavy equipment presently on hand. Material will not serve to replace any like items currently in service, but will serve to satisfy new requirements set for industrial equipment by the Occupational Health and Safety Standards Board. Resolution authorizing call for bids needed. Estimated Cost: $5,924.00; funds are budgeted.)

ACTION: Res. 77-938 adopted approving specifications and bid call. (Finance to handle)

CONSENT

5. Consider approval of specifications and authorize call for bids to be opened October 4, 1977 at 2:30 P.M. for furnishing office furniture.
(Furniture will replace old furnishings in the Mayor's office, Planning Department and Parks and Recreation Department which are scheduled to be remodeled under the City Hall expansion project. Present furniture will be retained by the City for additional use. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: $21,000.00; funds are budgeted.)

ACTION: Res. 77-939 adopted approving specifications and bid call. (Finance to handle)

CONSENT

6. Consider award of contract for construction of waterlines in Persian Terrace No. 2 and Westridge No. 1.
(Bids were opened on September 6, 1977. The low bid of $131,585.00 submitted by Joe Martin is 1% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract to Joe Martin needed. Funds are budgeted.)

ACTION: Res. 77-940 adopted awarding contract to Joe Martin. (P/W to handle)

HEARINGS

7. Continued hearing on appeal by Irwin Steinpress to the Planning Commission's decision concerning prezoning of property at the southwest corner of Woodland and Carpenter, Woodland Plaza. 7:40 P.M.
(Continued from 8/8/77 meeting)

ACTION: By motion (Elliott/Dunlap, unan. - Mayor Davies, absent) a policy was adopted providing that requests for continuance of hearings must be in the City Clerk's office in order to appear on the Council agenda for the meeting prior to the meeting during which the hearing is to be held. (Clerk to handle)

By motion (Dunlap/Siefkin, maj. - Lang, no) staff to prepare a resolution to provide that a fee of $10 be charged for a postponement to cover costs of mailing extra notices. (C/Atty to handle)

By motion (Lang/Kullijian, maj. - Dunlap and Siefkin, no - Mayor Davies, absent) the hearing is continued to October 10, 1977 at 7:45 P.M. with the applicant to be notified this would be the final extension. (Clerk to handle)

8. Hearing on amendment to Sec. 9-3-9 of the Zoning Map to prezone to R-2, property located on the west side of Coffee Road, southwest of Thorsen Avenue. (Wilbur Earley) 7:45 P.M.

ACTION: By motion (Lang/Elliott, unan. - Mayor Davies, absent) Ord. No. 1646-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-941 adopted (Lang/Elliott, unan. - Mayor Davies, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

9. Hearing on amendment to Sec. 21-3-9 of the Zoning Map to rezone from R-3 to P-O, property located east of McHenry Avenue, between E. Coolidge and E. Granger. (Billy K. Lenser, M.D.) 7:50 P.M.

ACTION: By motion (Lang/Elliott, unan. - Mayor Davies, absent) Ord. No. 1647-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-942 adopted (Lang/Elliott, unan. - Mayor Davies, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

10. Hearing on request of R. G. Fisher for substitution of masonry subcontractor on City Hall construction. 7:55 P.M.

ACTION: Res. 77-943 adopted (Elliott/Lang, unan. - Mayor Davies, absent) consenting to substitution of subcontractor. (P/W to handle)

11. Matters for the good of the community. 8:00 P.M.
(These may be presented by interested persons in the audience)

ACTION: Tom Byrne commented on the use of water for air conditioners.

By motion (Dunlap/Kullijian, unan. - Mayor Davies, absent) staff to report to Council on use of water for air conditioners. (P/W to handle)

Mr. Byrne also commented on the setting of the time for "Matters for the good of the community."

NEW BUSINESS

CONSENT
12. Consider participation in an amicus curiae action in the case of California Electric Sign Association et al, vs City of Cerritos relating to sign regulations.
(A memo of explanation has been transmitted with the agenda. Motion authorizing participation by the City of Modesto needed.)

ACTION: By motion, participation authorized. (C/Atty to handle)

CONSENT
13. Resolution setting a public hearing on adoption of records management manual.
(Memo of explanation with agenda. Adoption of resolution setting public hearing for Thursday, September 29, 1977 at 7:40 P.M. needed.)

ACTION: Res. 77-944 adopted setting hearing. (Clerk to handle)

CONSENT
14. Consider approval of an amendment to agreement with Fredricksen, Delamare, and Fultz.
(Dryden Trunk Sewer design work detailed in an agreement entered into on April 14, 1975 has been delayed almost two years through no fault of R. E. Fredricksen. This amendment provides for extra work to revise plans and specifications to Economic Development Administration (EDA) requirements and to update charge rates. Resolution approving amendment to agreement needed. Estimated Cost: $3,250; funds are budgeted.)

ACTION: Res. 77-945 adopted approving agreement. (P/W to handle)

CONSENT

15. Consider approval of the final map of Randy 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 are Joe Randy and Mary V. Randy and Mark Randy and Mary Randy.
(The subdivision agreement has been signed and all fees paid. Randy Park is located south of Briggsmore Avenue, north of Evergreen Avenue and west of Carver Road. It contains 7.435 acres. Resolution approving final map needed.)

ACTION: Res. 77-946 adopted approving final map. (Clerk to handle)

MISCELLANEOUS

16. Legislation.

NONE

17. Appointments.

NONE

18. Matters too late for the agenda.

NONE

Adjourned at 9:05 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 19, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None

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, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46
Item 35 removed from consent
Lang/Dunlap, 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 September 12, 1977.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Request by Downtown Improvement District Advisory Board for permission to hold a sidewalk sale on October 13, 14 and 15, 1977.
(Motion approving request needed.)

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

CONSENT
3. Letter from Don Agresti, American Hog Farms, for a swill license.
(Resolution setting hearing October 3, 1977 at 4:20 P.M. needed.)

ACTION: Res. 77-947 adopted setting hearing. (Clerk to handle)

CONSENT
4. Letter from Ron West of Allen Grant, Inc., requesting postponement of hearing regarding rezoning of P-D(77).
(Motion indicating Council's intention to continue hearing to October 24, 1977 at 7:30 P.M. needed.)

ACTION: By motion, Council indicated intention to continue the hearing. (Clerk to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for improvement of Hahn Drive crossing at M.I.D. Lateral No. 7. (Suggested bid opening: October 11, 1977 at 11:00 A.M. This is a new M.I.D. Lateral No. 7 crossing. It will provide fire protection access to the area north of Standiford from Fire Station No. 6. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $49,280 (Contract $44,800; Engr. $4,480); funds are budgeted.)

ACTION: Res. 77-948 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

6. Consider approval of plans and specifcations and call for bids for construction of the east extension of a box culvert at Dale Road and M.I.D. Lateral No. 7.
(Bid Opening: October 11, 1977 at 11:05 A.M. This project will complete the widening of the Dale Road crossing of M.I.D. Lateral No. 7. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $38,500 (Contract $35,000, Engr. $3,500); funds are budgeted.)

ACTION: Res. 77-949 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for the improvement of Orangeburg Avenue at M.I.D. Lateral No. 4. (Bid Opening: October 11, 1977 at 11:10 A.M. The project includes the installation of a new box culvert at M.I.D. Lateral No. 4 which will provide four lanes of traffic when Orangeburg Avenue is widened. Resolution approving plans and specifcations and call for bids needed. Estimated Cost: $94,460 (Contract $85,873, Engr. $8,587); funds are budgeted.)

ACTION: Res. 77-950 adopted approving plans, specifcations and bid call. (P/W to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the construction of sewer extension east of Poust Avenue in proposed Chapparal Place.
(Suggested bid opening: October 4, 1977 at 11:00 A.M. This project will provide sewer service to Westridge No. 1 subdivision. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $14,580 ($13,880 Contract, $700 Engineering); funds are budgeted.)

ACTION: Res. 77-951 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

9. Consider approval of plans and specifications for installation of sound system in City Hall building.
(Resolution approving plans and specifications and call for bids on Wednesday, September 28, 1977 at 11:00 A.M. needed. Estimated Cost: $7,200.00; funds are budgeted.)

ACTION: Res. 77-952 adopted approving plans, specifications and bid call. (Finance to handle)

CONSENT

10. Consider acceptance of Ferrero Electric's contract for construction of Woodrow Park lighting. Original Contract: $7,746.00. (All work on this project has been completed to the satisfaction of the Parks & Recreation Department and 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: $7,746.00; funds are budgeted.)

ACTION: Res. 77-953 adopted accepting contract as complete. (Clerk to handle)

CONSENT

11. Consider acceptance of work by Brown Sheet Metal on the installation of the new stairway at Fire Station No. 1 as complete. Original Contract: $4,276.40.
(All work on this project has been completed to the satisfaction of the Fire Department and 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. Actual Cost: $4,526.40; funds are budgeted.)

ACTION: Res. 77-954 adopted accepting work as complete. (Clerk to handle)

CONSENT

12. Consider acceptance of Western Pipeline's contract for construction of waterlines in Park Place No. 2, Park Place No. 3 and Janet Drive. (Original Contract: $36,615.30)
(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. Actual Cost: $34,423.00; funds are budgeted.)

ACTION: Res. 77-955 adopted accepting work as complete. (Clerk to handle)

HEARINGS

13. Hearing on appeal by A. Robinson, Chevron Station No. 6397, to a decision of the Board of Zoning Adjustment concerning a sign. 4:00 P.M.

ACTION: (Councilmember Mensinger was excused from this itme due to a conflict of interest)

Res. 77-956 adopted (Kullijian/Lang, unan. - Mensinger, absent) granting appeal and granting conditional use permit. (Planning to handle)

14. Hearing on amendment to Sec. 30-3-9 of the Zoning Map to prezone to M-1, property located in the Kansas Avenue-Carpenter Road area. (P.C. initiated) 4:05 P.M.

ACTION: By motion (Dunlap/Elliott, maj. - Mensinger and Siefkin, no) Ord. No. 1648-C.S. introduced prezoning area. (Clerk to handle)

Res. 77-957 adopted (Dunlap/Elliott, maj. - Mensinger and Siefkin, no) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

15. Matters for the good of the community. 4:10 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT
16. Final adoption of the following:
(Motions adopting needed)
(a) Ord. No. 1643-C.S., rezoning to P-D(166) property on Sisk Road, northeast of Standiford. (T.M.I. Corp.)

ACTION: By motion, Ord. No. 1643-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1644-C.S., rezoning to P-D(164) property on Sylvan Avenue, east of McHenry. (Dennis Cummins)

ACTION: By motion, Ord. No. 1644-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1645-C.S., relating to encroachments.

ACTION: By motion, Ord. No. 1645-C.S. adopted. (Clerk to handle)

(d) Ord. No. 1647-C.S., rezoning to P-O, property between E. Granger and E. Coolidge. (Billy K. Lenser, M.D.)

ACTION: By motion, Ord. No. 1647-C.S. adopted. (Clerk to handle)

CONSENT
17. Consider introduction of City ordinance that would prohibit drinking intoxicating beverages on public streets, sidewalks and parking lots.
(Memorandum with agenda. Introduction of Ordinance needed.)

ACTION: By motion, Ord. No. 1649-C.S. introduced adding Section 4-2.09 to Chapter 2 of Title VI of the Modesto Municipal Code relating to intoxicating beverages. (Clerk to handle)

UNFINISHED BUSINESS

18. Further consideration of request by Richard Belt, Chairman of the Stanislaus County Bicentennial Committee, for permission to place the approximately $500 left in the Committee's account in a savings and loan account for the tricentennial activities.

ACTION: By motion (Dunlap/Lang, maj. - Mayor Davies, no) request approved. (Clerk to handle)

CONSENT
19. Consider a resolution establishing a fee of $10.00 to be paid when a request for a continuance of a public hearing is made by an applicant for a rezoning, prezoning, conditional use permit, unclassified use permit or variance.
(The Council, by motion, on September 12, 1977, directed the staff to prepare this resolution for its consideration. Copy of proposed resolution with agenda. Adoption of resolution needed.)

ACTION: Res. 77-958 adopted establishing a fee of $10.00 to be paid when a request for a continuance of a public hearing is made by an applicant for a rezoning, prezoning, conditional use permit, unclassified use permit or variance. (Clerk to handle)

NEW BUSINESS

CONSENT

20. Adoption of resolution acknowledging receipt of "Notice of Intention to Circulate Petition to Annex Territory Known as the Sutter-Colorado Addition to the City of Modesto" and approving intention of proponents to circulate petitions.
(The notice was published on September 2, 1977 and filed with the City Clerk on September 6, 1977. Adoption of resolution needed.)

ACTION: Res. 77-959 adopted approving intention of proponents to circulate petitions - Sutter-Colorado Addition to the City of Modesto. (Clerk to handle)

CONSENT

21. Consider approving agreement with Raymond and Mary G. Biedenweg for the purchase of 2,310± S.F. of their property. Property is needed for Orangeburg Avenue right of way.
(Mr. and Mrs. Biedenweg have agreed to sell the needed right of way for the appraised value of $10,163.00. This acquisition will leave only 2' - 6' between the new right of way line and buildings located on the remaining property. This results in a damage payment to the Grantors which is included in the appraised value. Resolution accepting the property and approving the agreement with the Biedenwegs needed. Funds are budgeted.)

ACTION: Res. 77-960 adopted approving agreement. (P/W to handle)

CONSENT

22. Consider agreement with James C. and Eva B. Mansell for the purchase of 4,174± S.F. of their property for Orangeburg Avenue right of way.
(The Mansells have agreed to sell the required right of way for the appraised value of $7,126.00. The new right of way line is 9' from the Mansells' house resulting in a damage payment which is included in the above appraised value. Resolution accepting property and approving agreement needed. Funds are budgeted.)

ACTION: Res. 77-961 adopted approving agreement. (P/W to handle)

CONSENT

23. Agreements between the City and the Modesto City School District of Stanislaus County and the City and Sylvan Union School District of Stanislaus County whereby City agrees to operate playgrounds on an afterschool basis to commence on or about October 3, 1977, and to extend to on or about May 26, 1978.
(a) This agreement is the usual agreement which has been entered into previously with the Modesto City Schools whereby City agrees to operate the playgrounds on an afterschool basis and the District is to pay City $9,298 for these services.
(b) This agreement is the usual agreement which has been entered into previously with the Sylvan Union School District whereby City agrees to operate the playgrounds on an afterschool basis and the District is to pay City $1,693 for these services.
(Adoption of two resolutions authorizing agreements needed.)

ACTION: Res. 77-962 adopted approving agreement with Modesto City Schools. (P & R to handle)

Res. 77-963 adopted approving agreement with Sylvan Union School District. (P & R to handle)

CONSENT
24. Consider withdrawing Scenic Bend Addition from the McHenry-Dry Creek Fire Protection District.
(This addition was annexed to the City of Modesto effective August 31, 1977. Resolution withdrawing Scenic Bend Addition from the McHenry-Dry Creek Fire Protection District needed.)

ACTION: Res. 77-964 adopted withdrawing Scenic Bend Addition from the McHenry-Dry Creek Fire Protection District. (Clerk to handle)

CONSENT
25. Consider determining that the public interest and convenience require that Scenic Bend Addition be annexed to Modesto Municipal Sewer District No. 1.
(This addition was annexed to the City of Modesto effective August 31, 1977. Resolution setting November 7, 1977 at 4:00 P.M. for public hearing needed.) (Five affirmative votes needed.)

ACTION: Res. 77-965 adopted setting hearing. (Clerk to handle)

CONSENT
26. Consider request for sewer service to property outside City limits at 1322 Garden Avenue, located on the south side of Garden Avenue between Sutter Avenue and Colorado Avenue. Owner: Rafaela G. Loya.
(The property owner has 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. 77-966 adopted approving agreement. (Clerk to handle)

CONSENT
27. Consider request for sewer service to property outside City limits at 504 Greenwich Lane, located on the south side of Greenwich Lane between Mansfield Lane and Lancashire Lane. Owners: Robert LeCouve and Karen B. LeCouve.
(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. 77-967 adopted approving agreement. (Clerk to handle)

CONSENT
28. Consider request for sewer service to property outside City limits at 1313 Garden Avenue, located on the north side of Garden Avenue between Sutter Avenue and Colorado Avenue. Owner: Wolverine Building Service.
(The property owner has signed an agreement to annex when requested to do so by City.

ACTION: Res. 77-968 adopted approving agreement. (Clerk to handle)

CONSENT
29. Amending of 1977-78 Budget to provide financing for the purchase of the parking garage at the southwest corner of 11th and K Streets.
(City Council approved purchase on August 15, 1977. The purchase price is $140,600 and a transfer (temporary advance) of $80,100 to Parking Fund from Special Fund for Capital Outlay is needed. Resolution transferring funds needed.)

ACTION: Res. 77-969 adopted amending 1977-78 Budget. (Finance to handle)

CONSENT

30. Consider approval of the final map of Prescott Homes 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. (Subdivider - Danjim, a partnership.) (The subdivision agreement has been signed and all fees paid. Prescott Homes is located west of Prescott Road, east of Conant Avenue and south of Eicher Avenue. It contains 10.241 acres. Resolution approving final map needed.)

ACTION: Res. 77-970 adopted approving final map. (Clerk to handle)

CONSENT

31. Consider approving agreement with State granting City money to install longer traffic signal mast arms on Briggsmore at both College and Tully. (Memo with agenda. This agreement authorizes the City to do the work by contract with a low bidder. The State will pay 90% of the cost upon completion. The cost is estimated at $30,000. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 77-971 adopted approving agreement. (P & T to handle)

CONSENT

32. Budget adjustment for carryover projects at the airport. (Memo with agenda. Resolution appropriating funds for the completion of the airport projects and estimating additional revenue to be received under the FAA grant needed. Estimated Cost: $57,664)

ACTION: Res. 77-972 adopted ajusting budget for carryover projects at the airport. (Finance to handle)

CONSENT

33. Consider sale of excess land in Block 6080 to Mr. and Mrs. Virgil Daniel. (Memo with agenda. Resolution authorizing Mayor to execute grant deed needed.)

ACTION: Res. 77-973 adopted approving sale of excess land in Block 6080 and authorizing Mayor to execute grant deed. (P/W to handle)

CONSENT

34. Consider acceptance of the improvements in Scott Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Horn Construction. (Scott Estates is located north of Yosemite Boulevard, east of Lincoln Avenue, All Improvements have been completed to the satisfaction of Public Works and the fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 77-974 adopted accepting improvements as complete. (Clerk to handle)

35. Proposed Community Center.
    (a) Consider approving agreement with Decision Research Institute to conduct an opinion survey regarding Community Center. (Memo with agenda)
    (b) Consider approving agreement with Robert Schoettler, Convention Center Consultant, to conduct a use and feasibility study for the proposed Community Center.

35. Proposed Community Center, continued.
(c) Consider approval of an appropriation transfer to provide funds to finance the engagement of the opinion survey firm and the use study consultant.
(Two resolutions approving agreements with consultants needed; resolution approving appropriation transfer needed. Estimated Cost: $13,000 ($8,000 for opinion survey; $5,000 for use study consultant.)

ACTION: Res. 77-975 adopted (Lang/Elliott, maj. - Kullijian, no) approving agreement with Decision Research Institute.

Res. 77-976 adopted (Lang/Elliott, maj. - Kullijian, no) approving agreement with Robert Schoettler. (Task Force to handle)
(Lang/Elliott, maj. - Kullijian, no)
Res. 77-977 adopted/approving appropriation transfer of $13,000 from Account 60-800-101 to Account 235-03-650-101 ($5,000) and 235-04-650-101 ($8,000). (Finance to handle)

CONSENT
36. Consider agreement with Beard Land Improvement Company for the acquisition of two avigation easements for the Modesto City-County Airport/Harry Sham Field.
(Beard Land Improvement Company has agreed to sell the two easements containing 18,143+ S.F. and 2,586+ S.F. to the City for the appraised value of $550.00 ($450.00 and $100.00). These easements are required by the Federal Aviation Administration. The easements are located off of Runway 10L. Resolution approving agreement needed. Estimated Cost: $550.00 Acquistion Cost, $300.00 Escrow, Total $850.00. Funds are budgeted.)

ACTION: Res. 77-978 adopted approving agreement. (P/W to handle)

CONSENT
37. Consider hiring of limited special defense counsel for Dautrich et al vs. Board of Administration, et al.
(A memorandum of explanation is being transmitted with the agenda. Motion approving recommendation needed. Estimated Cost: $250 maximum; funds are budgeted.)

ACTION: By motion, recommendation approved. (C/Atty to handle)

CONSENT
38. Consider approving agreement with Willard S. Hall for the caretaking of the McHenry Mansion.
(The new agreement has the same conditions as the prior caretaking agreements. Resolution approving agreement needed.)

ACTION: Res. 77-979 adopted approving agreement. (P/W to handle)

REPORTS

CONSENT
39. Annual inventory of fixed assets and central stores items.
(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.

CONSENT

40. Presentation of Financial Statement for August, 1977.
(Copies of report will be presented at the meeting. Motion accepting report needed.)

ACTION: By motion, receipt of report acknowledged.

41. a. Recommend to Council an amendment to Section 8-3-9 of the Zoning Map - Rule Development.
(On September 6, 1977, the Planning Commission adopted Res. 77-164 recommending to the City Council an amendment to Section 8-3-9 of the Zoning Map to rezone from R-2 to P-D to permit construction of a 236 unit multiple-family residential complex, freestanding commercial buildings, and professional offices, property located at the northeast corner of Standiford Avenue and Tully Road.)

b. Letter from Stone Bros. & Associates requesting that the hearing on this rezoning be held on November 7, 1977.
(Resolution setting public hearing on October 17, 1977 at 4:10 P.M. or on November 7, 1977 at 4:05 P.M. needed.)

ACTION: Res. 77-980 adopted (Siefkin/Lang, unan.) setting hearing October 17, 1977 at 4:10 P.M. (Clerk to handle)

CONSENT

42. Recommend additions and amendments to Title X, Zoning Regulations (Omnibus 3).
(On August 23, 1977, the Planning Commission adopted Resolution 77-158 recommending to the City Council certain amendments and additions to the Zoning Regulations (Title X) (Omnibus No. 3). Resolution setting public hearing October 3, 1977 at 5:05 P.M. needed.)

ACTION: Res. 77-981 adopted setting hearing. (Clerk to handle)

CONSENT

43. Recommend to Council an amendment to Section 7-3-9 of the Zoning Map - John Paoluccio.
(On September 6, 1977, the Planning Commission adopted Res. 77-165 recommending to the City Council an amendment to Section 7-3-9 of the Zoning Map to rezone from R-1 to P-O, property located on the west side of Tully Road and on the north side of Higbee Drive. Resolution setting public hearing October 17, 1977 at 4:15 P.M. needed.)

ACTION: Res. 77-982 adopted setting hearing. (Clerk to handle)

CONSENT

44. Recommend the granting of an unclassified use permit to Big Valley Grace Community Church for a parochial school on property located at the northeast corner of Columbine Drive and Standiford Avenue.
(On September 6, 1977, the Planning Commission adopted Resolution 77-166 recommending to the Council the granting of an unclassified use permit to the Big Valley Grace Community Church for utilization of church facilities for a parochial school, property located at the northeast corner of Columbine Drive and Standiford Avenue. Resolution setting public hearing October 17, 1977 at 4:20 P.M. needed.)

ACTION: Res. 77-983 adopted setting hearing. (Clerk to handle)

CONSENT

45. Set date for public hearing - annexation to the City of uninhabited territory (Paradise-Rouse Addition).
(Approved by LAFCO August 24, 1977. Resolution setting date of public hearing November 14, 1977 at 7:30 P.M. needed.)

ACTION: Res. 77-984 adopted setting hearing. (Clerk to handle)

CONSENT

46. County referral of Open Space Contract Application No. 78-3079, N. Naraghi, northwest corner of Roselle and Floyd Avenues, 2917 Floyd Avenue.
(Memo and map with agenda. Resolution expressing recommendation of opposition needed.

ACTION: Res. 77-985 adopted opposing Open Space Contract Application No. 78-3079 - H. Naraghi. (Planning to handle)

MISCELLANEOUS

47. Legislation.

NONE

48. Appointments.

ACTION: Res. 77-986 adopted (Kullijian/Lang, unan.) reappointing Ray Ewing to Citizens Housing and Community Development Committee, Don Bernard to Housing Maintenance and Counseling Subcommittee, and Tom Harris and Marian Trurner to the Users Committee of the Citizens Housing and Community Development Committee for terms ending June 30, 1981. (Clerk to handle)

Res. 77-987 adopted (Mensinger/Kullijian, unan.) appointing Bessie Bresciani (replacing Gordon Nutson) to Seat 6 of the Rehabilitation Loan Pool Subcommittee, and Doug Oliver to the Users Committee of the Citizens Housing and Community Development Committee and to Seat 7 (replacing Paul Green) of the Rehabilitation Loan Pool Subcommittee for terms ending June 30, 1981. (Clerk to handle)

49. Matters too late for the agenda.

NONE

Adjourned at 6:15 P.M. to Thursday, September 22, 1977 at 9:00 A.M., City Hall parking garage, for a tour of Capital Improvement Program projects.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Regular Meeting
September 22, 1977, 9:00 A.M.

The Council of the City of Modesto met pursuant to adjournment at 9:00 A.M. in the City Hall parking garage, 801 - 11th Street, Modesto, California, to tour the Capital Improvement Program projects.

Present: Councilmembers Elliott, Mensinger, Siefkin, Mayor Davies

Absent: Councilmembers Dunlap, Kullijian, Lang

The tour included the following CIP projects:

1. Service Yard
2. Woodland pump station
3. Standiford-Sylvan road improvements
4. Fire Station No. 6 site
5. Davis Community Park
6. Woodrow Neighborhood Park
7. Sherwood Neighborhood Park
8. Fire Station No. 7 site
9. Orchard Neighborhood area
10. Scenic-Sonoma storm drain
11. Dry Creek Park area
12. Airport Terminal/fire-crash areas
13. Moose Park (luncheon site)

The meeting adjourned at 1:10 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Regular Meeting
September 26, 1977
7:30 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: Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

Due to lack of a quorum, the meeting was continued to Thursday, September 29, 1977 at 7:30 P.M.

ATTEST: Judy C. Hall
JUDY C. HALL
Acting City Clerk

9/26/77

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 26, 1977 AT 7:30 P.M.
ADJOURNED TO THURSDAY, SEPTEMBER 29, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None

Pledge of Allegiance to the Flag
Invocation by Reverend Loyal Friesan, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 14, 15, 17, 18, 19, 20, 21, 22, 23
Item 16 removed from consent
Dunlap/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 the minutes of the regular meeting of September 19, 1977. (Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Letter from Mid-Valley Engineering appealing the decision of the City of Modesto's Environmental Assessment Committee concerning P-D application at the southwest corner of Dale Road and Pelandale Avenue. (Resolution setting hearing on October 17, 1977 at 4:25 P.M. needed.)

ACTION: Res. 77-988 adopted setting hearing. (Clerk to handle)

CONSENT
3. Petition from residents of streets on the west side of the southern part of McHenry Avenue requesting blocking of their streets in the same manner as the streets on the east side of McHenry. (Motion referring to staff for report needed.)

ACTION: By motion, referred to staff for report. (P & T and Police to handle)

BIDS

CONSENT
4. Consider approval of plans and specifications and call for bids for construction of waterlines in Glenbrook, Lakewood Park and Pioneer Village No. 1.
(Suggested bid opening: October 18, 1977 at 11:00 A.M.

Costs and Revenues	Glenbrook	Lakewood Park	Pioneer Village #1
Construction	$37,245	$8,525	$23,080
Connection Charges	12,320	6,160	14,520
Net Revenue	974	487	1,148

CONSENT

4. Approval of plans and specifications and call for bids for construction of waterlines in Glenbrook, Lakewood Park and Pioneer Village No. 1., continued.
(Resolution approving plans and specifications and call for bids needed. Estimated Cost: $73,850 ($62,100 contract, $11,750 Engr. & Mat'ls.); funds are budgeted.)

ACTION: Res. 77-989 adopted approving plans, specifcations and bid call. (P/W to handle)

CONSENT

5. Consider declaring Valley Electric of Stockton low bidder on Items I and II and authorize the purchase of 100 light ballasts for the total price of $4,756.75.
(Memorandum with agenda. Resolution authorizing purchase of light ballasts needed. Funds are budgeted.)

ACTION: Res. 77-990 adopted awarding bid to Valley Electric. (Finance to handle)

CONSENT

6. Consider declaring Camellia Valley Supply low bidder and authorizing the purchase of water quality control storm flow bypass equipment for the total price of $21,495.63.
(Memo with agenda. Resolution authorizing purchase of equipment needed. Funds are budgeted.)

ACTION: Res. 77-991 adopted awarding bid to Camellia Valley Supply. (Finance to handle)

CONSENT

7. Consider award of contract for construction of subtrunk sewer in McHenry Avenue from Union Avenue to Coralwood Road.
(Bids were opened on September 20, 1977. The low bid of $43,602 submitted by ABC Underground is 38% above the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. The Engineer did not consider rigid State construction requirements when estimating the project and his estimate is therefore low. Based on costs of similar work in McHenry the low bid appears reasonable. Resolution awarding contract to ABC Underground needed. Funds are budgeted.)

ACTION: Res. 77-992 adopted awarding contract to ABC Underground. (P/W to handle)

CONSENT

8. Consider award of contract for the Graceada Park Tennis Court re-surfacing.
(Bids were opened on September 20, 1977. The low bid submitted by George Reed, Inc., which is 9% below the Engineer's Estimate is considered acceptable. It is therefore receommended that the contract be awarded to them. Resolution awarding contract to George Reed, Inc. needed. Estimated Cost: $14,985; funds are budgeted.)

ACTION: Res. 77-993 adopted awarding contract to George Reed, Inc. (P/W to handle)

CONSENT

9. Consider award of contract for construction of waterlines in Continental Plaza, Hillsboro East and Lincoln Square No. 6.
(Bids were opened September 20, 1977. The low bid of $86,278 submitted by Western Pipeline Co., Inc. is less than 1% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Western Pipeline Co., Inc. needed. Funds are budgeted.)

ACTION: Res. 77-994 adopted awarding contract to Western Pipeline Co., Inc. (P/W to handle)

CONSENT

10. Consider delaying bid opening date for five mid-sized buses.
(Memo with agenda. The bid opening date should be postponed from October 4, 1977 to November 2, 1977 at 2:00 P.M. The potential bidders have taken exception to or asked for clarification on 113 items and more staff time is needed. Resolution setting revised bid opening date for November 2, 1977 at 2:00 P.M. needed.)

ACTION: Res. 77-995 adopted setting revised bid opening date for November 2, 1977 at 2:00 P.M. (P & T to handle)

HEARINGS

11. Continued hearing on amendment to Sections 8-3-9 and 17-3-9 of the Zoning Map to rezone from R-1 to P-D, property located on the east side of Sherwood Ave. both north and south of Rumble Road. (James Price) (Continued from 7/25/77 meeting) 7:30 P.M.

ACTION: By motion (Lang/Siefkin, unan.) Ord. No. 1650-C.S. introduced rezoning area. (Clerk to handle)
(Lang/Siefkin, unan.)
Res. 77-996 adopted/approving development plan P-D(161). (Planning to handle)

Res. 77-997 adopted (Lang/Siefkin, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

12. Hearing on adoption of Records Management Manual and Retention Schedule. 7:40 P.M.

ACTION: Res. 77-998 adopted (Dunlap/Siefkin, unan.) adopting records management manual and record retention schedule and authorizing destruction of useless records. (C/Atty to handle)

13. Matters for the good of the community. 7:45 P.M.
(These may be presented by interested persons in the audience)

ACTION: Michael Kirros asked about requirement for posting a flagman in areas of street construction. The Mayor directed staff to look into the requirements.

Harvey Boyd, Cablecom General Manager, apologized because the CATV equipment used in the Council Chambers was being repaired and this meeting was not being broadcast. He also commended Council Chamber sound system and announced that CATV service would be interrupted because of two major projects being undertaken to improve cable TV in Modesto.

ORDINANCES

CONSENT
14. Final adoption of the following:

(a) Ord. No. 1646-C.S. prezoning property on Coffee Road, southwest of Thorsen Avenue. (Wilbur F. Earley)
(Motion adopting needed.)

ACTION: By motion, Ord. No. 1646-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1649-C.S. relating to intoxicating beverages.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 1649-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT
15. Consider authorizing the City Manager to sign a grant application with the State of California Office of Traffic Safety to provide for the expansion of the Modesto Police Department's Traffic Enforcement Unit. This is a two year grant in the amount of $188,608.26.
(Memo with agenda. Resolution authorizing City Manager to sign grant application needed.)

ACTION: Res. 77-999 adopted authorizing City Manager to sign grant application. (Police to handle)

16. Consider lease agreement between the City of Modesto and the Great Valley Travel Club, Inc. to conduct a travel club at the Modesto City-County Airport/Harry Sham Field.
(An agreement has been prepared and executed by the Great Valley Travel Club to cover their operations at the Airport. The agreement sets forth in part that the club will pay a landing fee, a boarding fee, construct an airport parking apron, provide vehicle parking, and hold the City free of any liability of claims. The lease agreement is for 1 year with an option to renew for a 2-year term. See memo dated September 20, 1977 from the Airport Manager. Resolution approving agreement needed.)

ACTION: By motion (Lang/Dunlap, unan.) this item held over to meeting of October 10, 1977. (Clerk to handle)

CONSENT
17. Consider approving lease agreement with Aloma Lackey for the Parkview Guesthome at 1343 Legion Park Drive.
(Memo with agenda. Resolution approving lease agreement needed.)

ACTION: Res. 77-1000 adopted approving agreement. (P/W to handle)

CONSENT
18. Consider approving agreement with Carl and Evelyn A. Christiansen for the purchase of 400± S.F. of their property for a storm sewer easement.
(The Christiansen's have agreed to sell the required easement for the appraised value of $450.00. The easement is required for the north branch of the Scenic-Sonoma storm drain. Resolution accepting easement and approving agreement needed. Funds are budgeted.)

ACTION: Res. 77-1001 adopted approving agreement. (P/W to handle)

CONSENT

19. Consider approval of the final map of the Towery 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. (Subdivider: Ronald L. Towery and Martha A. Towery, Audie R. Towery and Judi A. Towery, William A. Sweigert and Virginia M. Sweigert) (The subdivision agreement has been signed and all fees paid. Towery Plaza subdivision is located east of McHenry Avenue at Union Avenue. It contains 16.151 acres. Resolution approving final map needed.)

ACTION: Res. 77-1002 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider approval of final map of Grand Prix Plaza subdivision. (All fees have been paid for approval of the final map of Grand Prix Plaza subdivision. All public improvements were required as a condition of approving the final map of Grand Prix Estates. A standard subdivision agreement and improvement bond deposit is not required to approve this final map. Grand Prix Plaza is located on the west side of Coffee Road north of Sylvan Meadows Drive. It contains 3.447 acres. Resolution approving final map needed.)

ACTION: Res. 77-1003 adopted approving final map. (Clerk to handle)

CONSENT

21. Amendment of the 1977-78 Antirecessionary Fund budget to appropriate an additional $75,000 in revenue.
(Memo with agenda. Resolution amending 1977-78 Antirecessionary Fund budget needed.)

ACTION: Res. 77-1004 adopted amending 1977-78 Antirecessionary Fund budget. (Finance to handle)

CONSENT

22. Consider approval of City of Modesto McHenry Mansion's surplus property listing and authorize a public auction to be held at 10:00 A.M. October 22, 1977 at the McHenry Mansion, 906 - 15th Street, Modesto, California.
(Proceeds for the auction are to be collected into a separately identified trust sub-account (601) for future construction. Resolution authorizing auction needed.)

ACTION: Res. 77-1005 adopted authorizing auction. (P & R to handle)

APPROPRIATION TRANSFERS

CONSENT

23. Consider approval of appropriation transfer to provide for advanced driver training for 51 police officers. Cost of training is fully reimbursable to the City from California Peace Officer Standards and Training Commission.
(Memo with agenda. Resolution approving appropriation transfer needed. Estimated Cost: $13,000.)

ACTION: Res. 77-1006 adopted approving appropriation transfer of $13,000 from Account 60-800-101 to Account 429-220-101. (Finance to handle)

MISCELLANEOUS

24. Legislation.

NONE

25. Appointments.

ACTION: Res. 77-1007 adopted (Mensinger/Siefkin, unan.) appointing John Bree (replacing Lori Hammer) as a member of the Human Rights Commission as a representative of the Modesto Youth Commission for a term ending June 1, 1978. (Clerk to handle)

Res. 77-1008 adopted (Lang/Elliott, unan.) appointing the following members to the Community Center Advisory Committee:

Dr. Walsh Conmy	Dr. Lewis Woodward	Paul Tischer
Kirk McAllister	Jerry Wofford	Jim Clarke
Dr. Tom Van Goningen	Colleen Bare	John Bree
Pete Johansen	Marie Gallo	Earl Egolf
Paul Schmidt	Ray Ewing	William Allewelt
Don Hammond	Fleeta Raines	Ray Simon
Lenore Hughes		
(Clerk to handle)		

26. Matters too late for the agenda.

NONE

Adjournment at 9:25 P.M.

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 3, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None

Pledge of Allegiance to the Flag
Invocation by Reverend Weston, St. John's Chapel of the Valley

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 2A, 3, 4, 5, 6, 8, 9, 10, 21, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34
Items 7 and 22 removed from consent
Lang/Dunlap, 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.)

INTRODUCTIONS

1. Introduction of Melanie Johnson, Worthy Advisor, Mrs. Sarah Lee Moorad, Mother Advisor, and members of Assembly No. 96 of the International Order of Rainbow for Girls.

ACTION: Melanie Johnson thanked Council for letting them attend, described activities of the group, a service organization, and said they would like to become involved in the community.

MINUTES

CONSENT
2. Approval of minutes of the adjourned regular meeting of September 22, 1977, and regular meeting of September 26, 1977.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2A. Petition from residents of streets adjacent to Geer Street, Geer Court, and Grove Avenue west of McHenry Avenue requesting blocking of their streets in the same manner as other areas in Modesto.
(Motion referring to staff needed)

ACTION: By motion, referred to staff. (Police and Parking & Traffic to handle)

BIDS

CONSENT
3. Consider sale of 6 parcels of excess land.
(Memo with agenda. Bid Opening: November 7, 1977 at 2:00 P.M. Resolution calling for bids and approving specifications and Notice to Bidders needed.)

ACTION: Res. 77-1009 adopted approving specifications and call for bids. (P/W to handle)

CONSENT

4. Consider award of contract for City Hall Sound System.
(Bids were opened September 28, 1977. The single bid of $6,971.33 by Delta Sound and Radio, Inc. is 3.1% below the Engineer's Estimate and is considered acceptable. Resolution authorizing award of contract to Delta Sound and Radio, Inc. needed. Funds are budgeted.)

ACTION: Res. 77-1010 adopted awarding contract to Delta Sound and Radio, Inc. (P/W to handle)

CONSENT

5. Consider award of contract for construction of Revised Street Light Circuit on McHenry Avenue between Orangeburg Avenue and Briggsmore Avenue.
(Bids were opened September 27, 1977. The low bid submitted by Ferrero Electric, Inc. is 3.75% below the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Ferrero Electric, Inc. needed. Estimated Cost: $14,478 (Contract $13,364 - Engr. & Incid. $1,114); funds are budgeted)

ACTION: Res. 77-1011 adopted awarding contract to Ferrero Electric, Inc. (P/W to handle)

CONSENT

6. Consider allowing Industrial Electrical to withdraw their bid and consider award of contract to Collins Electrical for Upgrading of tennis court lighting at Graceada Park.
(Bids were opened September 21, 1977. The apparent low bid submitted was by Industrial Electrical for $10,653.08. They have submitted a request (attached) that they be allowed to withdraw their bid because of errors in their bid tabulation. Staff has reviewed this and the bid tabulation sheet and agrees that an error was made and recommends that they be allowed to withdraw. The low bid submitted by Collins Electrical which is 6% below the Estimate is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution allowing Industrial Electrical to withdraw, and resolution awarding contract to Collins Electrical needed. Estimated Cost: $14,704.30. Funds are budgeted.)

ACTION: Res. 77-1012 adopted allowing Industrial Electrical to withdraw their bid and awarding contract to Collins Electrical. (P/W to handle)

7. Consider recommendations on bus manufacturers' exceptions to bus specifications.
(Memo with agenda. Three vendors have requested 113 exceptions to the bus specifications. It is recommended that some exceptions be approved and some be denied and that an addenda be issued. Many do not require Council action as they are merely clarifications. Resolution approving revised specifications needed.)

ACTION: Res. 77-1013 adopted (Kullijian/Mensinger, unan.) approving revised specifications. (P & T to handle)

CONSENT

8. Consider acceptance of Matteson Construction's contract for the Remodel Construction of Construction Administration Office. Original Contract: $35,643.00.
(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. Resolution accepting work as complete needed. Final Cost: $35,835.00. Funds are budgeted.)

ACTION: Res. 77-1014 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider acceptance of Osterbert & Stewart's contract for Drilling, Casing, Testing, and Development of One Deep Well for the City of Modesto - Well No. 43. Original amount $19,715.70.
(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. Resolution accepting work as complete needed. Final Cost: $19,465.90; funds are budgeted.)

ACTION: Res. 77-1015 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of William Mineni's contract for the construction of miscellaneous improvements to Coleman F. Brown Park and Chrysler Neighborhood Park. Original price $38,300.00.
(All work on this project has been completed to the satisfaction of the Parks & Recreation Department and 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: $38,400.00; funds are budgeted.)

ACTION: Res. 77-1016 adopted accepting work as complete. (Clerk to handle)

HEARINGS

11. Hearing, annexation North McHenry No. 3 to Modesto Municipal Sewer District #1. 4:00 P.M.

ACTION: Res. 77-1017 adopted (Elliott/Kullijian, unan.) annexing North McHenry No. 3 to Modesto Municipal Sewer District No. 1. (Clerk to handle)

12. Hearing on amendment to Sec. 27-3-9 of the Zoning Map to rezone from R-1 to P-D to allow a 28-unit 2-story apartment on property at the northwest corner of Scenic Dr. and Rose Avenue, (Land Bank and Richard Brehmer) 4:05 P.M.

ACTION: By motion (Lang/Mensinger, unan.) Ord. No. 1651-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-1018 adopted (Lang/Mensinger, unan.) approving development plan P-D(168). (Planning to handle)

Res. 77-1019 adopted (Lang/Mensinger, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

13. Hearing on amendment to Sec. 16-3-9 of the Zoning Map to rezone from R-1 to P-D to permit construction of 150-dwelling unit senior citizen's housing project, property located on the south side of Norwegian, opposite Gordon. (Modesto Christian Estates) 4:10 P.M.

ACTION: By motion (Kullijian/Lang, unan.) Ord. No. 1652-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-1020 adopted (Kullijian/Lang, unan.) approving development P-D(171). (Planning to handle)

Res. 77-1021 adopted (Kullijian/Lang, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

14. Hearing on appeal by A.G.I. to Planning Commission decision regarding rezoning from P-D(77) to P-O, property located on north side of Yosemite, west of Capistrano. 4:15 P.M.

ACTION: By motion (Kullijian/Lang, unan.) hearing continued to October 24, 1977 at 7:30 P.M. (Clerk to handle)

15. Hearing on application by American Hog Farms for swill license. 4:20 P.M.

ACTION: By motion (Dunlap/Lang, unan.) Ord. No. 1653-C.S. introduced granting limited license. (Clerk to handle)

The Councilmembers took a twelve minute recess at 4:48 P.M. to 5:00 P.M.

16. Hearing on appeal by Katherine McMillen to Board of Zoning Adjustment's decision re conditional use permit for a rest home at the corner of Wellesley and West Roseburg Ave. 5:00 P.M.

ACTION: Res. 77-1022 adopted (Lang/Elliott, maj. - Mensinger and Siefkin, no) denying appeal. (Planning to handle)

17. Hearing on additions and amendments to Title X, Zoning Regulations (Omnibus 3). 5:05 P.M.

ACTION: By motion (Elliott/Kullijian, unan.) Ord. No. 1654-C.S. introduced amending zoning regulations. (Clerk to handle)

18. Matters for the good of the community. 5:10 P.M.
(These may be presented by interested persons in the audience)

ACTION: John Marshall, Modesto Jaycees, requested City to set up a review stand for the Third Annual Marching Bands Competition on Saturday, October 8, 1977.
By motion (Lang/Mensinger, unan.) request approved. (P & R to handle)

Councilmember Elliott said the Public Projects Committee had met on this date, and would have a recommendation for Council by November.

ORDINANCES

19. Final adoption of Ord. No. 1648-C.S., Kansas Avenue-Carpenter Road prezoning.
(Motion adopting needed.)

ACTION: By motion, (Lang/Kullijian, maj. - Mensinger and Siefkin, no) Ord. No. 1648-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

20. Review of questions for Community Center opinion survey.
(Decision Research, Inc., is preparing preliminary questions for initial review by the Council. The questions will be distributed to Councilmembers on Monday, October 3, 1977 prior to the meeting. Direction to Consultant for preparing questions needed.)

NO DISCUSSION.

NEW BUSINESS

CONSENT

21. Consider acceptance of improvements in Wyldewood Grove No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upons expiration of statutory periods. Developer - Arthur (Joe) Wylie.
(Wyldewood Grove No. 2 subdivision is located on the North side of Wylie Drive west of Oakdale and east of Muirswood Way. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 77-1023 adopted accepting improvements as complete. (Clerk to handle)

22. Consider modifications to Bus Service Agreement.
(Memos with agenda. The modifications will substitute TRIPS (a corporation) for Kenny Transportation and increase the frequency of payments made by the City for bus operations from monthly to every two weeks. Resolution approving the assignment of the agreement and Resolution amending the payment schedule needed.)

ACTION: Res. 77-1024 adopted (Kullijian/Lang, unan.) authorizing City Manager, on behalf of the City of Modesto, to consent to the assignment of agreement with Kenny Transportation to T.R.I.P.S. (P & T to handle)
Res. 77-1025 adopted (Kullijian/Lang, unan.) approving amendment to agreement with Tuolumne River Inter-City Passenger Service (T.R.I.P.S.), amending paragraph 7, route records, and paragraph 9, payments to be made by City. (P & T to handle)

CONSENT

23. Consider request for water service to property outside City limits at the property located on the North side of Barium Road northwest of Kansas Avenue. Owners - FMC Corporation.
(The property owners have signed an agreement to annex when requested to do by City. The property is contiguous to City and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 77-1026 adopted approving agreement. (Clerk to handle)

CONSENT

24. Consider request by Mr. and Mrs. Russell and 20th Century Apartment management for permission to plant pine trees in the alley adjacent to the Russell's property.
(There have been conflicts between the 20th Century Apartment complex and adjacent single-family residents whose property back on adjacent alley and apartment complex. The creation of a visual barrier via the planting of pine trees is a method being proposed to mitigate some of the ongoing problems existing in the area. Memo with agenda. Resolution granting encroachment permit needed.)

ACTION: Res. 77-1027 adopted granting encroachment permit. (P/W to handle)

CONSENT

25. Set public hearings on two applications for federal transit funds. $384,834 for transit operations in FY 1977-78 and $467,306 for five buses and related transit equipment.
(Memo with agenda. Applications for funds for transit operations and for bus equipment have been completed. It is recommended that public hearings be set. Resolution setting the hearings on the applications for November 14, 1977 at 7:35 P.M. (operating) and 7:40 P.M. (capital) needed. Estimated cost: $384,834 operation - $467,306 capital); funds are budgeted.)

CONSENT
25. Set public hearings on two applications for federal transit funds, continued.

ACTION: Res. 77-1028 adopted setting hearing on application for transit operations in FY 1977-78. (Clerk to handle)

Res. 77-1029 adopted setting hearing on application for five buses and related transit equipment. (Clerk to handle)

CONSENT
26. Consider authorizing City Manager to sign a purchase order to Modesto Irrigation District for removing their power poles which are in the airport clear zone runway 28L-10R.
(Four M.I.D. poles located on Tenaya Drive near Daly Avenue encroach into the Airport clear zone. A Grant agreement with the Federal Aviation Administration provides for undergrounding the M.I.D. system to eliminate the pole obstructions. The grant agreement was approved by Council Res. No. 77-641 on June 20, 1977. FAA has approved M.I.D. construction plans for the work. The purchase order will cover the estimated construction costs. Resolution authorizing City Manager to sign purchase order needed. Est. costs $26,006.60; funds are budgeted.)

ACTION: Res. 77-1030 adopted authorizing City Manager to sign Purchase Order. (P/W and Finance to handle)

CONSENT
27. Uninhabited annexation to the City of Modesto - (Carver-Sheldon Addition)
(The LAF Commission has authorized this annexation without notice of public hearings on September 21, 1977. Resolution annexing Carver-Sheldon Addition needed.)

ACTION: Res. 77-1031 adopted annexing Carver-Sheldon Addition to City of Modesto. (Clerk to handle)

CONSENT
28. Uninhabited annexation to the City of Modesto - (Orangeburg-Claus Addition)
(The LAF Commission has authorized this annexation without notice of public hearing on September 21, 1977. Resolution annexing Orangeburg-Claus Addition needed.)

ACTION: Res. 77-1032 adopted annexing Orangeburg-Claus Addition to City of Modesto. (Clerk to handle)

CONSENT
29. Set date for public hearing - annexation to the City of uninhabited territory (Orangeburg-Fransen Addition)
(Approved by LAF Commission on September 21, 1977. Resolution setting date of public hearing on November 21, 1977 at 4:00 P.M. needed.)

ACTION: Res. 77-1033 adopted setting hearing. (Clerk to handle)

CONSENT
30. Request from Kemper, Fisher, Faust, Lawrence & Co., C.P.A.'s for a two-week extension of time to complete the City's annual audit.
(Copy of request with agenda. Motion granting extension needed.)

ACTION: By motion, extension granted. (Finance to handle)

REPORTS

CONSENT

31. Presentation of the Three Year Operating Revenue and Expenditure Forecast 1977-78 and 1979-80.
(Copies of the Forecast with agenda. Motion accepting report needed.)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

32. Recommend to Council an amendment to Section 17-3-9 of the Zoning Map - Ernest Angelos.
(On September 20, 1977, the Planning Commission adopted Res. No. 77-177 recommending to the City Council an amendment to Section 17-3-9 of the Zoning Map to rezone from R-1 to P-O, property located at the northeast corner of Timothy Avenue and Judith Lane (Ernest Angelos). Resolution setting public hearing on November 7, 1977 at 4:10 P.M. needed.)

ACTION: Res. 77-1034 adopted setting hearing. (Clerk to handle)

CONSENT

33. Recommend to Council an amendment to Section 30-3-9 of the Zoning Map - Horn Construction Company.
(On September 20, 1977, the Planning Commission adopted Res. No. 77-178 recommending to the City Council an amendment to Section 30-3-9 of the Zoning Map to rezone from R-1 to P-D, property located at the southeast corner of Elm Avenue to permit construction of a neighborhood shopping center. Resolution setting public hearing on November 14, 1977 at 7:45 P.M, needed.)

ACTION: Res. 77-1035 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

34. Request for appropriation transfer from General Reserve to account 6332-270-321, Tennis Court Lighting, Graceada Park.
(The construction costs of materials are higher now than when the project was originally budgeted. Resolution approving appropriation transfer needed.)

ACTION: Res. 77-1036 adopted approving appropriation transfer of $2,750 from Account 60-800-321 to Account 6332-270-321. (Finance to handle)

MISCELLANEOUS

35. Legislation.

NONE

36. Appointments.

ACTION: Res. 77-1037 adopted (Lang/Mensinger, unan.) appointing Reverend Howard Clarke to the Community Center Citizens Committee. (Clerk to handle)

Adjournment at 6:35 P.M.

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 10, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None

Pledge of Allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Siefkin/Lang, unan. Items 1, 2, 3, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31

(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 regular meeting of September 29, 1977, and the regular meeting of October 3, 1977. (Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Letter from Gilbert Wymond - Burger King - appealing BZA decision regarding variance. (Resolution setting hearing November 7, 1977 at 4:15 P.M. needed.)

ACTION: Res. 77-1038 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT
3. Consider approval of plans and specifications and call for bids for construction of waterlines in Tierra Plaza. (Suggested Bid opening: October 25, 1977 at 11:05 A.M. Construction costs $22,493.00, connection charges $5,720.00, net revenue $452.00. Resolution approving plans and specifications and call for bids needed. Funds are budgeted.)

ACTION: Res. 77-1039 adopted approving plans, specifications and bid call. (P/W to handle)

HEARINGS

4a. Hearing on amendment to Sec. 9-3-9 of the Zoning Map to rezone from R-1 to P-O, R-2, R-3 and P-D, property west of Coffee Road and north of Sylvan Ave. (Stone Bros.) 7:30 P.M.

b. Hearing on appeal by Stone Bros. & Associates to portions of the Planning Commission decision regarding zoning of property on the west side of Coffee Road and north of Sylvan Ave. 7:30 P.M.

ACTION: By motion (Elliott/Lang, maj. - Dunlap, no) Areas "A" and "B" on a map submitted by the applicant to be zoned R-3, Areas "C" and "D" to be zoned P-O.

4a. Hearing on amendment to Sec. 9-3-9, continued. 7:30 P.M.

ACTION: By motion (Siefkin/Mensinger, unan.) rear and side yards are to be 4' and the front yard set back is to be 3' to the property line

By motion (Elliott/Mensinger, unan.) Area "E" is to be zoned P-D as recommended.

By motion (Elliott/Dunlap, unan.) staff directed to prepare the necessary documents to accomplish these actions and bring to the Council next week. (C/Atty to handle)

5. Hearing on amendment to Sec. 23-3-9 of the Zoning Map to prezone to P-D(170) property north of Scenic and east of Oakdale Road. (Gary Davis) 7:40 P.M.

ACTION: By motion (Siefkin/Dunlap, unan.) Ord. No. 1655-C.S. introduced prezoning to P-D(170). (Clerk to handle)

Res. 77-1040 adopted (Siefkin/Dunlap, unan.) approving development plan (P-D(170). (Planning to handle)

Res. 77-1041 adopted (Siefkin/Dunlap, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

6. Continued hearing on appeal by Irwin Steinpress to the Planning Commission's decision concerning prezoning of property at the southwest corner of Woodland and Carpenter - Woodland Plaza. (continued from 8/8/77 meeting) 7:45 P.M.

ACTION: A motion (Lang/Kullijian) to approve the plan failed to carry.

Res. 77-1042 adopted (Dunlap/Siefkin, maj. - Kullijian and Lang, no) denying application. (Planning to handle)

7. Matters for the good of the community. 7:50 P.M.
(These may be presented by interested persons in the audience)

ACTION: Mayor Davies introduced Ugo Lea, member of the Farm-City Advisory Committee.

ORDINANCES

CONSENT
8. Final adoption of the following ordinances:

(a) Ord. No. 1651-C.S. - rezoning Sec. Map 27-3-9.

ACTION: By motion, Ord. No. 1651-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1652-C.S. - rezoning Sec. map 16-3-9.

ACTION: By motion, Ord. No. 1652-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1653-C.S. - granting swill license.

ACTION: By motion, Ord. No. 1653-C.S. adopted. (Clerk to handle)

(d) Ord. No. 1654-C.S. - amending code sections.

ACTION: By motion, Ord. No. 1654-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT

9. Consider lease agreement between the City of Modesto and Great Valley Travel Club, Inc. to conduct a travel club at the Modesto City-County Airport/Harry Sham Field. (This item was continued from 9/29/77 Council meeting.
(Negotiations are continuing regarding this agreement and it has been agreed that the matter shall be continued to the October 17, 1977 meeting. Motion continuing to October 17, 1977 needed.)

ACTION: By motion, this item continued to October 17, 1977. (Clerk to handle)

NEW BUSINESS

CONSENT

11. Consider proposal of Mr. M. E. Grover, 2501 E. Hatch Road, Modesto, CA 95351 (537-1011), to harvest olives in Mellis Park.
(A letter has been received from M. E. Grover offering to harvest olives in Mellis Park. He proposes to pay the City $2.00 per 50 lb. box. Mr. Grover harvested the olives in 1974, 1975, and in 1976. In 1976 he paid $63 to the City for the crop. Resolution approving needed.)

ACTION: Res. 77-1043 adopted approving agreement. (P & R to handle)

CONSENT

12. Consider proposed agreement with Modesto Senior Citizens, Inc.
(City Council agreed on August 22, 1977 to conditions of agreement - see attached memo - with Modesto Senior Citizens, Inc., with the exception that a proposed new kitchen be eliminated, and the old kitchen be remodeled. The Modesto Senior Citizens, Inc., have agreed to the proposal and have signed the agreement as proposed by the City Council. Resolution approving agreement needed.)

ACTION: Res. 77-1044 adopted approving agreement. (P & R to handle)

CONSENT

13. Consider consent to common use agreement between the Modesto Irrigation District and the City of Modesto for the Hahn Drive Crossing of M.I.D. Lateral No. 7.
(This is a new collector street crossing of M.I.D. Lateral No. 7 and is needed to provide fire protection access to the area north of Standiford Avenue. Resolution authorizing staff to execute agreement needed.)

ACTION: Res. 77-1045 adopted approving agreement. (P/W to handle)

CONSENT

14. Consider consent to common use agreement between the Modesto Irrigation District and the City of Modesto for the widening of Dale Road at M.I.D. Lateral No. 7.
(This project is the easterly extension of the existing box culvert and will complete the widening of Dale Road at M.I.D. Lateral No. 7 to major street width. Resolution authorizing staff to execute agreement needed.)

ACTION: Res. 77-1046 adopted approving agreement. (P/W to handle)

CONSENT

15. Consider approval of Revocable Permit to the City of Modesto from Hetch Hetchy Water and Power to construct Conant Avenue across the Hetch Hetchy right of way and authorize City Manager to execute on behalf of the City of Modesto.
(The extension of Conant Avenue across the Hetch Hetchy right of way will connect Conant Avenue to Standiford Avenue. It is located in Hetch Hetchy Parcel Nos. 673 and 674 Stanislaus County. Resolution approving revocable permit and authorizing City Manager to execute on behalf of City of Modesto needed.)

ACTION: Res. 77-1047 adopted approving revocable permit and authorizing City Manager to execute on behalf of the City. (P/W to handle)

CONSENT

16. Consider acceptance of improvements in Park Place No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. DEVELOPER: Allen Grant, Inc (Park Place No. 2 Subdivision is located south of West Rumble Road and east of Conant Avenue. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 77-1048 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

17. Consider acceptance of improvements in Park Place No. 3 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. DEVELOPER: Allen Grant, Inc (Park Place No. 3 subdivision is located south of West Rumble Road and east of Conant 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. 77-1049 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

18. Consider revising the metered rate water service charge to the State of California Division of Highways for freeway landscaping watering purposes within the City of Modesto.
(Metered water service rates have been established since 1967 as the minimum volume discount rate for water used for freeway landscaping purposes. The volume discount rates are being phased out and it is recommended the minimum rate in effect be established as the metered charge for freeway landscaping watering purposes. See memo with agenda. Resolution establishing revised freeway landscaping water rates needed.)

ACTION: Res. 77-1050 adopted establishing revised freeway landscaping water rates. (P/W to handle)

CONSENT

19. Uninhabited annexation to the City of Modesto - Oakdale-Sylvan No. 2 Addition.
(The LAF Commission has authorized this annexation without notice of public hearing - September 21, 1977. Resolution annexing Oakdale-Sylvan No. 2 Addition needed.)

ACTION: Res. 77-1051 adopted annexing Oakdale-Sylvan No. 2 Addition to City. (Clerk to handle)

20. Consider ation of the location of the I.R.S. offices - oral discussion. (Vice Mayor Mensinger)

NO ACTION TAKEN

CONSENT

21. Consider the adoption of the following resolutions regarding Improvement District No. 23 - Street Lights on McHenry Avenue:
    (a) M23-1 Resolution of preliminary determination relative to 1931 Act and fixing time and place of hearing thereon;
    (b) M23-2 Resolution appointing Engineer and directing preparation of plans and specifications for work and improvements, together with estimates of costs and expenses thereof;
    (c) M23-3 Resolution approving contract documents and specifications, map, plans and profiles, and cost estimates;
    (d) M23-4 Resolution of intention (fixes hearing date for Nov. 14, 1977 at 8:00 P.M.;
    (e) M23-5 Resolution designating newspaper for publication of notices; and
    (f) M23-6 Resolution fixing compensation for attorneys.
    (Adoption of Resolutions M23-1 through M23-6 needed.)

ACTION: Res. 1352-S.P. adopted setting hearing - M23-1. (Clerk to handle)

Res. 1353-S.P. adopted appointing Engineer and directing preparation of plans and specifications and cost estimates. - M23-2. (P/W to handle)

Res. 1354-S.P. adopted approving contract documents and specifications, map, plans and profiles, and cost estimates - M23-3. (P/W to handle)

Resolution of Intention 371 (1355-S.P.) adopted setting hearing for November 14, 1977 at 8:00 P.M. - M23-4. (Clerk to handle)

Res. 1356-S.P. adopted designating Modesto Bee as newspaper for publication of notices - M23-5. (Clerk to handle)

Res. 1357-S.P. adopted fixing compensation for attorneys. - M23-6. (C/Atty to handle)

REPORTS

CONSENT

22. Presentation of Financial Statement for September, 1977. (Copies of report will be presented at meeting. Motion accepting report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

23. Report on property and liability insurance and amendment of 1977-78 budget as follows: 1 - Adjust appropriations in operating funds; 2 - Redesignate Workers' Compensation Self-Insurance Fund as City Self-Insurance Fund.
    (Memo with agenda. Resolution implementing recommendation in report needed.)

ACTION: Res. 77-1052 adopted amending the 1977-78 final budget of the City of Modesto and redesignating the Workers Compensation Insurance Fund as the City Self-Insurance Fund. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

24. Recommend to Council an amendment to Section 22-3-9 of the Zoning Map - John and Marcella Hanson.
(On September 20, 1977, the Planning Commission adopted Res. 77-174 recommending to the Council an amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 to P-O, property located at the northeast corner of Coffee Road and E. Coolidge Avenue. Resolution setting public hearing on November 7, 1977 at 4:20 P.M. needed.)

ACTION: Res. 77-1053 adopted setting hearing. (Clerk to handle)

CONSENT

25. Recommend addition to the Zoning Regulations, Title X, Temporary Parking Standards, Downtown.
(On September 20, 1977, the Planning Commission adopted Res. 77-180 recommending to the City Council an amendment adding Section 10-2.1810 to the Modesto Municipal Code (Zoning Regulations, Temporary Parking Lot Standards, Downtown). Resolution setting public hearing Nov. 7, 1977 at 4:25 P.M. needed.)

ACTION: Res. 77-1054 adopted setting hearing. (Clerk to handle)

CONSENT

26. Recommend cancellation of agreement requiring continuity of development (Dotson Construction Company - John P. Butorac)
(On September 20, 1977, the Planning Commission adopted Resolution 77-172 rescinding condition No. 1 of Planning Commission Res. 72-79 and recommending to the City Council cancellation of an agreement requiring continuity of development for property located on the south side of Celeste Drive, west of Vera Cruz. Dotson Construction Co. - John P. Butorac. Resolution consenting to cancellation of the agreement needed.)

ACTION: Res. 77-1055 adopted consenting to cancellation of agreement. (Planning to handle)

CONSENT

27. Recommend to Council an amendment to Section 23-3-9 of the zoning map - P-D(22).
(On September 20, 1977, the Planning Commission adopted Res. 77-176 recommending to the Council an amendment to Section 23-3-9 of the zoning map to repeal P-D(22) and rezone to C-1, property located on the east side of Oakdale Road on the south side of Surrey Avenue. Resolution setting public hearing on November 14, 1977 at 7:50 P.M. needed.)

ACTION: Res. 77-1056 adopted setting hearing. (Clerk to handle)

CONSENT

28. Recommend to Council an amendment to Section 28-3-9 of the Zoning Map - Norman Winsor.
(On September 20, 1977, the Planning Commission adopted Res. 77-173 recommending to the Council an amendment to Sec. 28-3-9 of the zoning map to rezone from R-3 to P-O, property located on the north side of Downey Avenue between McHenry and Johnson Street. Resolution setting public hearing on November 14, 1977 at 7:55 P.M. needed.)

ACTION: Res. 77-1057 adopted setting hearing. (Clerk to handle)

CONSENT

29. Recommend to Council an amendment to Section 16-3-9 of the zoning map - Sierra Vista Congregation of Jehovah's Witnesses.
(On September 20, 1977, the Planning Commission adopted Res. 77-175 recommending to the Council an amendment to Sec. 16-3-9 of the Zoning Map to rezone from R-1 to R-2, property located at the southeast corner of Norwegian and Sunrise Avenues. Resolution setting public hearing on November 21, 1977 at 4:05 P.M. needed.)

ACTION: Res. 77-1058 adopted setting hearing. (Clerk to handle)

CONSENT

30. Recommend to Council an amendment to Section 26-3-9 of the Zoning Map - Grant Construction Co.
(On September 20, 1977, the Planning Commission adopted Res. 77-179 recommending to the Council an amendment to Sec. 26-3-9 of the zoning map to rezone from C-2 to P-D, property located on the north side of Yosemite Blvd, about 400 feet west of North Riverside Drive to allow a bread sales and distribution establishment. Resolution setting public hearing on November 21, 1977 at 4:10 P.M. needed.)

ACTION: Res. 77-1059 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

31. Request for appropriation transfers: $40,000 from 6410-27-321 Special Fund for Capital Outlay, Muncy Neighborhood Park Stage 1, to 6307-270-321, Special Funds for Capital Outlay, General Improvements, sprinklers, picnic units, lights, etc. and $40,000 from 6307-328 State Parks & Recreation Fund. General Improvements, lights sprinklers, etc., to 6410-328 State Parks & Recreation Fund, Muncy Neighborhood Park Stage 2.
(Presently $40,000 for General Improvements is budgeted in account 6307-328 Fund, which is the State Park Bond Fund. We are in our general park improvement period of our operation and will experience considerable difficulties utilizing the money from this fund for general improvements due to the fact that the State will require plans and specifications for each and every little improvement we plan to do, such as installing an additional light in a park, adding several picnic tables and barbecues. This process will create more paper work and our improvement program will certainly be delayed waiting their approval. This transfer will expedite our entire general improvement program. Resolution approving 2 appropriation transfers needed.)

ACTION: Res. 77-1060 adopted approving appropriation transfer of $40,000 from Account 6410-270-321 to Account 6307-270-321. (Finance to handle)

Res. 77-1061 adopted approving appropriation transfer of $40,000 from Account 6307-328 to Account 6410-328. (Finance to handle)

MISCELLANEOUS

32. Legislation.

NONE

33. Appointments.

ACTION: Res. 77-1062 adopted (Mensinger/Siefkin, unan.) appointing Don Champlin (replacing Sarah Jackson) for a term ending 1/1/81, and appointing Georganne Greene (replacing Raymond Whitgrove) for a term ending 1/1/78 as members of the Personnel Commission. (Clerk to handle)

Res. 77-1063 adopted (Dunlpa/Kullijian, unan.) appointing Richard Loughmiller as chairman of proposed near Northside Users Committee (Target Area #2). (Clerk to handle)

Res. 77-1064 adopted (Dunlap/Kullijian, unan.) appointing Councilmember Elliott and Tom Sutter to the School Site and Facilities Tax Advisory Committee as nonvoting members representing the City Council and the home building industry respectively. (Clerk to handle)

34. Matters too late for the agenda.

NONE

Adjourned at 10:25 P.M. to executive session to discuss property acquisitions with the announcement that the 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 MONDAY, OCTOBER 17, 1977 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Siefkin, Vice Mayor Mensinger
Absent: Mayor Davies

Pledge of Allegiance to the Flag
Invocation by Reverend John Mahon, Geneva Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 4, 5, 6, 7, 8, 9, 18, 19, 21, 22, 24, 25, 26, 27, 28, 29, 30, 31, 32, 35, 36
Items 3, 17, & 23 dropped from agenda
Item 30 removed from consent
Dunlap/Lang, unan. - Mayor Davies, 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.)

INTRODUCTION

Vice Mayor Mensinger introduced Cub Scout Webelos Den 2 of Pack 239.

MINUTES

CONSENT
1. Approval of the minutes of the regular meeting of October 10, 1977. (Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Modesto Retired Employees Association requesting "a 15% increase in retirement benefits to miscellaneous members of P.E.R.S. whose retirement or death before retirement occurred prior to July 1, 1971."
(Letter and memo with recommendation with agenda. Motion authorizing actuarial study and resolution approving appropriation transfer needed.)

ACTION: By motion (Dunlap/Elliott, unan. - Mayor Davies, absent) actuarial study authorized and staff authorized to proceed with preparation of documents for consideration when actuarial study is received.

Res. 77-1065 adopted (Dunlap/Elliott, unan. - Mayor Davies, absent) approving appropriation transfer of $100.00 from Account 650-800-101 to Account 235-080-101). (Finance to handle)

3. Letter from Fredric C. Divine, Architect, regarding the Council's decision regarding Gary Davis's Tennis Club on Scenic near Oakdale Road.

DROPPED FROM AGENDA AT MR. DIVINE'S REQUEST.

3a. Presentation of new United Nations flag to City of Modesto and request to fly the United Nations flag on October 24.

ACTION: By Order of the Chair, with consent of the City Council, item 16(a) was taken up out of order.

By motion (Siefkin/Elliott, maj. - Kullijian, no - Mayor Davies, absent) new flag accepted and approval given to fly the U.N. flag on the McHenry Museum flag pole on October 24, 1977. (P & R to handle)

BIDS

CONSENT
4. Consider approval of plans and specifications and call for bids for the installation of irrigation systems and landscaping for Briggsmore Phase II along Briggsmore from a point 350± feet west of Tully Road east to Ardmore.
(Suggested bid opening date: November 8, 1977 at 11:00 A.M. This project will provide irrigation and landscaping improvements to vacant land adjacent to Briggsmore 350± feet west of Tully Road east to Ardmore. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $52,018.05 ($49,541.00 Const., $2,477.05 Engr.); funds are budgeted.)

ACTION: Res. 77-1066 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
5. Consider approval of plans and specifications and call for bids for the construction of Sylvan Park Stage I.
(Suggested bid opening date: November 8, 1977 at 11:05 A.M. This project will provide for Stage I development of Sylvan Park including grading, sidewalks, slab areas, play areas and storm drainage facilities. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $64,989.76 (Const. $61,895.01, Engr. $3,094.75); funds are budgeted.)

ACTION: Res. 77-1067 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
6. Consider approval of plans and specifications and call for bids for the Scenic-Sonoma-Orangeburg Draingage System; McGuire Drive; Orangeburg Avenue; Scenic Drive.
(Suggested bid opening date: November 1, 1977 at 11:00 A.M. This project will complete the Scenic-Sonoma-Orangeburg trunk line storm drainage system. Memo with agenda. Resolution approving plans and specifications and call for bids needed, and resolution approving appropriation transfer needed. Estimated Cost: $100,124.75 (Contract $91,022.50, Engr. $9,102.25, $9,232.00 budgeted.) An Appropriation transfer for $93,509.00 needed.)

ACTION: Res. 77-1068 adopted approving plans, specifications and bid call. (P/W to handle)
Res. 77-1068A adopted approving appropriation transfer of $93,509 from Account 6014-410-321($2,616); 60-800-321 ($90,893) to Account 6474-410-321. (Finance to handle)

CONSENT
7. Consider approval of plans and specifications and call for bids for construction of waterlines in Bloomfield No. 2.
(Suggested bid opening date: November 1, 1977 at 11:10 A.M. Costs and Revenue: Construction $50,942; Connection Charges $16,200; Net Revenue $1,288. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $50,942 ($44,612 Contract, $6,330 Engr. & Mtls.); funds are budgeted.)

ACTION: Res. 77-1069 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
8. Consider declaring Pitney-Bowes low bidder and authorize the purchase of one automatic collator-sorter with an automatic copy feeder for the total price of $9,462.62.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 77-1070 adopted awarding bid to Pitney Bowes. (Finance to handle)

CONSENT

9. a) Consider declaring L. M. Morris and Warden's Office low bidders on office furniture on Specification R-77.
   b) Consider waiver of formal bid procedures and authorize purchase of additional office furniture from L. M. Morris at negotiated prices. (Five affirmative votes needed.)

(Memo with agenda. a) One Resolution declaring L. M. Morris low bidder on Groups A, B, C & E for $15,689.84; b) One resolution declaring Warden's Office low bidder on Group D for $986.13; c) One resolution waiving formal bid procedures and authorizing purchase of additional office furniture from L. M. Morris at the neogtiated prices, totaling $13,810.00. Estimated Cost: $30,486; funds are budgeted.)

ACTION: Res. 77-1071 adopted awarding bid for office furniture on Groups A, B, C & E to L. M. Morris. (Finance to handle)

Res. 77-1072 adopted awarding bid for office furniture on Group d to The Warden's Office. (Finance to handle)

Res. 77-1073 adopted waiving formal bid procedure and authorizing purchase of additional office furniture from L. M. Morris at negotiated prices. (Finance to handle)

HEARINGS

10. Hearing on annexation of El Vista-Ellis Addition to Modesto Municipal Sewer District No. 1. — 4:00 P.M.

ACTION: Res. 77-1074 adopted (Dunlap/Lang, unan. - Mayor Davies, absent) annexing El Vista-Ellis Addition to Modesto Municipal Sewer District No.1. (Clerk to handle)

11. Hearing on annexation of Coffee-Coolidge Addition to Modesto Municipal Sewer District No. 1. — 4:05 P.M.

ACTION: Res. 77-1075 adopted (Siefkin/Elliott, unan. - Mayor Davies, absent) annexing Collee-Coolidge Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

12. Hearing on amendment to Sec. 8-3-9 of the Zoning Map to rezone from R-2 to P-D to permit construction of a 236-unit multiple-family residential complex, freestanding commercial buildings, and professional offices, property located at the northeast corner of Standiford Avenue and Tully Road. (Rule Development) — 4:10 P.M.

ACTION: By motion (Lang/Elliott, maj. - Dunlap and Siefkin, no - Mayor Davies, absent) Ord. No. 1656-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-1076 adopted (Lang/Elliott, maj. - Dunlap and Siefkin, no - Mayor Davies, absent) approving development plan P-D(172). (Planning to handle)

Res. 77-1077 adopted (Lang/Elliott, maj. - Dunlap and Siefkin, no - Mayor Davies, absent) directing Director of Planning and Community Development to file notice re Environmental Review. (Planning to handle)

13. Hearing on amendment to Sec. 7-3-9 of the Zoning Map to rezone from R-1 to P-O, property located on the west side of Tully Road and on the north side of Higbee Drive. (John Pacluccio) 4:15 P.M.

ACTION: By motion (Lang/Kullijian, unan. - Mayor Davies, absent) Ord. No. 1657-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-1078 adopted (Lang/Kullijian, unan. - Mayor Davies, absent) directing Director of Planning and Community Development to file notice re Environmental Review. (Planning to handle)

14. Hearing on unclassified use permit to Big Valley Grace Community Church for a parochial school on property located at the northeast corner of Columbine Drive and Standiford Avenue. 4:20 P.M.

ACTION: Res. 77-1079 adopted (Kullijian/Lang, unan. - Mayor Davies, absent) granting permit. (Planning to handle)

15. Hearing on appeal by Dr. Milton C. David to decision of E. A. Committee regarding P-D at southwest corner of Dale Road and Pelandale Avenue. 4:25 P.M.

ACTION: Res. 77-1080 adopted (Kullijian/Lang, maj. - Siefkin and Vice Mayor Mensinger, no - Mayor Davies, absent) not to require an E.I.R. (Planning to handle)

16. Matters for the good of the community. 4:30 P.M.
(These may be presented by interested persons in the audience)

ACTION: Walter Witherspoon asked why parking pass holders for the lot at 11th and K Streets were not allowed to park on the street level lot but were required to park in the basement. By motion (Siefkin/Kullijian, unan. - Mayor Davies, absent) that the pass system be continued on this lot with no restriction on where pass holders may park, and that the Courts be asked to consider dismissing any citations issued to pass holders for parking on the street level. (C/Atty and P & T to handle)

16a. Presentation of new United Nations flag to City of Modesto and request to fly the United Nations flag on October 24.

THIS ITEM MOVED TO ITEM 3A.

ORDINANCES

CONSENT

17. Final Adoption of Ordinance 1650-C.S., rezoning property on Sherwood Avenue (James Price).

DROPPED FROM AGENDA

CONSENT

18. Consider adoption of a new schedule of fees for encroachment permits and amendments to the Modesto Municipal Code Section 5-6.08 (b), (c), Section 7-2.14 as well as amendment of Council Resolution No. 69-661, as proposed.
(The encroachment permit fees schedule has been reviewed and a new fees schedule has been proposed and is being recommended for approval. Introduction of two ordinances and adoption of two resolutions needed.)

CONSENT
18. Consider adoption of a new schedule of fees for encroachment permits, continued.

ACTION: Ord. No. 1658-C.S. introduced amending Municipal Code relating to temporary closing of public ways. (Clerk to handle)

Ord. No. 1659-C.S. introduced amending Municipal Code relating to construction of new sewer laterals. (Clerk to handle)

Res. 77-1081 adopted establishing conditions for issuing encroachment permits to place newspaper racks in sidewalk planting strips. (P/W to handle)

Res. 77-1082 adopted adopting a schedule of fees in connection with encroachment permits and inspections required by the City of Modesto. (P/W to handle)

CONSENT
19. Further consideration of:
a) Hearing on amendment to Section 9-3-9 of the Zoning Map to rezone from R-1 to P-O, R-2, and P-D, property west of Coffee Road and north of Sylvan Avenue (Stone Bros.).
b) Hearing on appeal by Stone Bros. & Associates to portion of the Planning Commission decision regarding zoning of property on the west side of Coffee Road and north of Sylvan Avenue.
(Copies of proposed ordinances and resolutions with agenda. Introduction of two ordinances and adoption of two resolutions needed.)

ACTION: Ord. No. 1660-C.S. introduced reclassifying area from R-1 to P-D(169). (Clerk to handle)

Ord. No. 1661-C.S. introduced reclassifying area from R-1 to R-3 and R-1 to P-O. (Clerk to handle)

Res. 77-1083 adopted approving development plan P-D(169). (Planning to handle.

Res. 77-1084 adopted directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

UNFINISHED BUSINESS

20. Consider lease agreement between the City of Modesto and the Great Valley Travel Club, Inc. to conduct a travel club at the Modesto City-County Airport/Harry Sham Field.
(An agreement has been prepared and executed by the Great Valley Travel Club to cover their operations at the Airport. The agreement sets forth in part that the club will pay a landing fee, a boarding fee, construct an airport parking apron, provide vehicle parking, and hold City free of any liability of claims. The lease agreement is for one year with an option to renew for a two-year term. See memo with agenda dated September 20, 1977 from the Airport Manager. Resolution approving agreement needed.)

ACTION: A motion (Lang/Kullijian) to approve the agreement with the requirement of $500,000 liability insurance failed to carry.

By motion (Lang/Dunlap, unan. - Mayor Davies, absent) this item is to be continued to the next meeting when there is a full Council. (Clerk to handle)

NEW BUSINESS

CONSENT

21. Consider waiving formal bid procedures by five affirmative votes and authorize the purchase of one word processing system from the A. B. Dick Company for the total price of $9,764.72.
(Memo with agenda. Resolution waiving formal bid and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 77-1085 adopted waiving formal bid procedure and authorizing purchase. (Finance to handle)

CONSENT

22. Consider proposals of Anna Brown to harvest walnuts on City property.
a. Anna Brown has offered to harvest English walnuts at Dryden Park Municipal Golf Course, Roosevelt Park, at City Pump Station No. 14 on Virginia Avenue, the City Pump Station on Emerald Avenue, in the small parcel purchased by the City from the State on the south side of Tuolumne River near 9th Street Bridge approach, the Mancini Park property at 1204 River Road, and approximately 3+ acres at the northeast corner of Legion Park Drive and Santa Cruz Ave. (Formerly owned by Fala Bowlin & Richard Walters). She proposes to complete the harvest and pay to the City by December 15, 1977, 35% of the gross revenue for the crop.
b. Anna Brown has requested permission to harvest black walnuts on City of Modesto property along the Tuolumne River between Conejo Avenue and Mitchell Road in the Tuolumne River Regional Park, in the Whitmore Park on College and Bowen Avenues, in Beard Brook Park on Morton Blvd., and Mancini Park river bottom off River Road. We have had someone harvest the black walnuts on City property each year. There is little market for black walnuts. Therefore, if we permit Anna Brown to harvest the black walnuts, it will eliminate the necessity of City staff having to clean them up.
(Two resolutions approving request needed.)

ACTION: Res. 77-1086 adopted approving agreement to harvest black walnuts.

Res. 77-1087 adopted approving agreement to harvest English walnuts. (P & R to handle)

CONSENT

23. Consider Citizens Housing and Community Development Committee recommendation regarding expiring contract with Self-Help Enterprises.
(Memo with agenda. Motion approving recommendation needed.)

DROPPED FROM AGENDA

CONSENT

24. Consider withdrawing Standiford-Snyder Addition from the Salida Fire Protection District.
(This addition was annexed to the City of Modesto effective September 20, 1977. Resolution withdrawing Standiford-Snyder Addition from the Salida Fire Protection District needed.)

ACTION: Res. 77-1088 adopted withdrawing area from Salida Fire Protection District. (Clerk to handle)

CONSENT

25. Consider determining that the public interest and convenience require that Standiford-Snyder Addition be annexed to Modesto Municipal Sewer District No. 1.
(This addition was annexed to the City of Modesto effective September 20, 1977. Resolution setting December 5, 1977 at 4:00 P.M. for public hearing needed. (Five affirmative votes needed.)

ACTION: Res. 77-1089 adopted setting hearing. (Clerk to handle)

CONSENT
26. Warning and Evacuation Procedures Addendum to the previously adopted Dam Failure Joint Contingency Plan.
(This section was not completed at the time of main plan adoption. Memo with agenda. Resolution adopting addendum needed.)

ACTION: Res. 77-1090 adopted adopting addendum to Dam Failure Joint Contingency Plan. (Fire to handle)

CONSENT
27. Consider resolution authorizing excess Head Rest funds from fiscal year 1976-77 to be used to purchase office equipment.
(Memo with agenda. Resolution authorizing funds to be used for office equipment needed. Estimated Cost: $688.73; funds are budgeted.)

ACTION: Res. 77-1091 adopted authorizing excess Head Rest funds from FY 1976-77 be used to purchase office equipment. (Management Services to handle)

CONSENT
28. Request from Kemper, Fisher, Faust, Lawrence & Co., C.P.A.'s, for an extension to October 31, 1977 to complete the City's annual audit.
(Copy of request with agenda. Motion granting extension needed.)

ACTION: By motion, extension granted. (Finance to handle)

CONSENT
29. Consider suggestion for mid-block crosswalk on E. Granger between McHenry and Honeysuckle.
(Memo with agenda. Request stemmed from a recent rezoning hearing. Staff recommends that a crosswalk not be installed at this time. Motion approving recommendation needed.)

ACTION: By motion, recommendation approved.

30. Consider relocation of bus transfer point.
(Memo with agenda. It is recommended that the Council authorize staff to relocate the bus transfer point to the northeast corner of 9th and I Streets. Motion approving recommendation needed.)

ACTION: By Order of the Chair, this item is held over one week. (Clerk to handle)

CONSENT
31. Consider request for sewer service to property at 711 Lombardo Avenue, located on the north side of Lombardo Avenue between Bystrum Road and Romeo Avenue. Owner: Otilia Morales.
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limit. However, a line exists to serve it. No City funds are involved.)

ACTION: Res. 77-1092 adopted approving agreement. (Clerk to handle)

CONSENT
32. County referral of Open Space Contract applications:
1. No. 78-3099, Thomas and Diane Sutter, NE corner of Tully Road and M.I.D. Lateral No. 6, 50.4 acres.

ACTION: Res. 77-1093 adopted opposing application No. 78-3099 - Thomas and Diane Sutter. (Planning to handle)

2. No. 78-3125, Edwin and Savina Nessier, SW corner of Kiernan and Carver Roads, 1720 Kiernan, 37.48± acres.

ACTION: Res. 77-1094 adopted opposing application No. 78-3125 - Edwin and Savina Nessier. (Planning to handle)

33. Discussion of wastewater treatment project.

ACTION: By Order of the Chair, this item is held over one week. (Clerk to handle)

REPORTS

34. Report on golf fees.
(In July the staff proposed a new set of golf fees which the Council referred back to the staff for some alternatives that would implement the fee over a three or five year basis. The new proposal is now ready for Council consideration (report with agenda). Resolution establishing new fees schedule needed.)

DROPPED FROM AGENDA

CONSENT
35. Report from Greater Modesto Chamber of Commerce for Quarter of July, August, September, 1977.
(Motion acknowledging receipt needed.)

ACTION: By motion, receipt of report acknowledged.

REPORTS FROM PLANNING COMMISSION

CONSENT
36. Recommend amendments to Municipal Code and Standard Specifciations - Collector Streets.
(On October 4, 1977, the Planning Commission adopted Res. 77-183 recommending to the City Council amendments to the Municipal Code and the Standard Specifications pertaining to the width of Collector Streets at their intersection with Major Streets. Resolution setting public hearing November 21, 1977 at 4:15 P.M. needed.)

ACTION: Res. 77-1095 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

37. Legislation

NONE

38. Appointments.

ACTION: Res. 77-1096 adopted (Kullijian/Lang, unan. - Mayor Davies, absent) changing Seat 2 of the Citizens Housing and Community Development Committee from "City Council Member" to "Chairperson of the User Group Committee."

Res. 77-1097 adopted (Kullijian/Lang, unan. - Mayor Davies, absent) appointing Richard Loughmiller to Seat 2 of the Citizens Housing and Community Development Committee. (Clerk to handle)

Res. 77-1098 adopted (Kullijian/Elliott, unan. - Mayor Davies, absent) appointing Ray Patterson, President of the Modesto Junior Chamber of Commerce, and Merle Mensinger, Chairman of the Downtown Improvement District Advisory Board, to the Community Center Citizens Committee. (Clerk to handle)

39. Matters too late for the agenda.

NONE

Adjourned at 7:22 P.M. to executive session to discuss property acquisition with the announcement that the Council would not return to open session but would adjourn to 3:00 P.M., Monday, October 24, 1977 in Conference Room A, Second Floor, County Administration Building, 11th and H Streets, Modesto.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Regular Meeting
October 24, 1977
3:00 P.M.

The Council of the City of Modesto met pursuant to adjournment at 3:00 P.M. in Conference Room A of the County Administration Building, 1100 H Street, Modesto, California, with the Local Agency Formation Commission.

Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None
(Councilmember Lang arrived at 3:35 P.M.)

The Modesto General Plan, Modesto's annual growth review, and Modesto's Alternate Futures Study were discussed in general and the ways they applied to the Woodland Neighborhood.

The meeting adjourned at 4:10 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 24, 1977 AT 7:30 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None
(Councilmember Kullijian was excused at 7:35 P.M. to 7:40 P.M.)

Pledge pf Allegiance to the Flag
Invocation by Reverend Ronald Hurst, Maze Boulevard Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 8, 9, 10, 11, 12, 15, 16, 18, 20, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 40
Item 39 dropped from agenda
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 meeting of October 17, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from L. E. Sevy, P.E., Chief of Program Planning for the State Department of Transportation, regarding the Route 108 Corridor Study.
(Letter and memo with agenda.)

ACTION: A presentation was made by representatives of the State Department of Transportation regarding the Route 108 Corridor Study.

CONSENT
3. Petition from residents of Achor Court, Magnolia, Adam Avenue, West Morris, and Lottie Avenue requesting closure of their streets to traffic on McHenry Avenue.
(Motion referring to staff for report needed.)

ACTION: By motion, petition referred to staff for report. (P & T and Police to handle)

BIDS

CONSENT
4. Consider waiving formal bid by five affirmative votes and authorizing the purchase of ball angle valves from Pipeline Products in amounts in excess of $3,500.00.
(Memo with agenda. Resolution waiving bid and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 77-1099 adopted waiving formal bid and authorizing purchase. (Finance to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for the reroofing at the Maddux Youth Center, 615 Sierra. (Suggested bid opening date: November 8, 1977 at 11:10 A.M. This project will provide for the removal of the existing roof and replacement with a Class A mineral surface asbestos built up roof. Resolution approving plans and specifications and call for bids needed. Estimated Cost: Construction $6,602.50; Engineering $347.50; Total $6,950.00; funds are budgeted.)

ACTION: Res. 77-1100 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for the construction of waterline extension in Kansas Avenue from Franklin Street to Barium Road.
(Suggested bid opening: November 8, 1977 at 11:15 A.M. This project will provide domestic and fire service to FMC Corporation and others in the area. FMC will pay for the project in accordance with our agreement of October 3, 1977. (Resolution No. 77-1026). Resolution approving plans and specifications and call for bids needed. Estimated Cost: $26,765 ($25,765 Contract; $1,000 Engineering and Materials); funds are budgeted.)

ACTION: Res. 77-1101 adopted approving plans, specifications and bid call. (P/W to handle)

7. Consider award of contract for construction of sewer extension east of Poust Avenue in proposed Chapparal Place.
(Bids were opened on October 4, 1977. The low bid of $20,188.00, submitted by ABC Underground (Backhoe and Sewer Service) is 42% above the Engineer's estimate. It is recommended that the contract be awarded to them. Memo with agenda. Resolution awarding contract to ABC Underground (Backhoe and Sewer Service) needed. Funds are budgeted.)

ACTION: Res. 77-1102 adopted (Kullijian/Lang, unan.) awarding contract to ABC Underground. (P/W to handle)

CONSENT

8. Consider award of contract for construction of the east extension of a box culvert at Dale Road and M.I.D. Lateral No. 7.
(Bids were opened October 11, 1977. The low bid of $40,100.00 submitted by Teichert Construction is 14.57% above the Engineer's estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to Teichert Construction needed. Estimated Cost: $43,600 (Contract $40,100; Engr. $3,500); funds are budgeted.)

ACTION: Res. 77-1103 adopted awarding contract to Teichert Construction. (P/W to handle)

CONSENT

9. Consider award of contract for improvement of Hahn Drive crossing at M.I.D. Lateral No. 7.
(Bids were opened October 11, 1977. The low bid of $49,500, submitted by The Flintkote Company is 10.49% above the Engineer's estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to The Flintkote Company needed. Estimated Cost: $53,980 (Contract $49,500; Engr. $4,480); funds are budgeted)

ACTION: Res. 77-1104 adopted awarding contract to The Flintkote Co. (P/W to handle)

CONSENT

10. Consider award of contract for improvement of Orangeburg Avenue at M.I.D. Lateral No. 4.
(Bids were opened October 11, 1977. The low bid of $96,284.25, submitted by The Flintkote Company is 12.12% above the Engineer's estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to the Flintkote Company needed. Estimated Cost: $104,871.25 (Contract $96,284.25; Engr. $8,587); funds are budgeted.)

ACTION: Res. 77-1105 adopted awarding contract to The Flintkote Co. (P/W to handle)

CONSENT

11. Consider award of contract for construction of waterlines in Glenbrook, Lakewood Park and Pioneer Village No. 1.
(Bids were opened on October 18, 1977. The low bid of $59,717.75, submitted by W. Gale Fisher, Inc., is 4% below the Engineer's estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to W. Gale Fisher, Inc. needed. Funds are budgeted.)

ACTION: Res. 77-1106 adopted awarding contract to W. Gale Fisher, Inc. (P/W to handle)

CONSENT

12. Consider declaring Bell Roll Cage of Corona, California, sole bidder and authorize the purchase of six roll-over protection cages for the total price of $4,847.26.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 77-1107 adopted awarding bid to Bell Roll Cage. (Finance to handle)

HEARINGS

13. Hearing, appeal by A.G.I. to Planning Commission decision regarding rezoning from P-D(77) to P-O, property located on north side of Yosemite, west of Capistrano. 7:30 P.M.
(Continued from 10/3/77 meeting)

ACTION: By motion (Kullijian/Lang, unan.) hearing continued to November 14, 1977 at 8:05 P.M. (Clerk to handle)

14. Matters for the good of the community. 7:35 P.M.
(These may be presented by interested persons in the audience.)

ACTION: Jean Sturtevant discussed energy conservation and the need of a specialist on the City staff to work on energy conservation.

ORDINANCES

CONSENT

15. Final adoption of Ord. No. 1657-C.S. rezoning property on Tully Road north of Rumble Road (John Paoluccio).
(Motion adopting needed.)

ACTION: By motion, Ord. No. 1657-C.S. adopted. (Clerk to handle)

CONSENT

16. Final adoption of the following ordinances:
(Motions adopting needed)

(a) Ord. No. 1650-C.S. rezoning property located on Sherwood Ave. (James Price).

ACTION: By motion, Ord. No. 1650-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1655-C.S. prezoning property located on Scenic west of Oakdale Road (Gary E. Davis.)

ACTION: By motion, Ord. No. 1655-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1658-C.S. relating to temporary closing of public ways.

ACTION: By motion, Ord. No. 1658-C.S. adopted. (Clerk to handle)

(d) Ord. No. 1659-C.S. relating to construction of new sewer laterals.

ACTION: By motion, Ord. No. 1659-C.S. adopted. (Clerk to handle)

(e) Ord. No. 1660-C.S. rezoning property on the northwest corner of Sylvan and Coffee Road from R-1 to P-D(169) (Stone Bros.)

ACTION: By motion, Ord. No. 1660-C.S. adopted. (Clerk to handle)

(f) Ord. No. 1661-C.S. rezoning property on the north side of Sylvan Avenue from R-1 to R-3 and P-O (Stone Bros.)

ACTION: By motion, Ord. No. 1661-C.S. adopted. (Clerk to handle)

17. Amend Section 8-2.1005 of the Modesto Municipal Code - Mobile Home Park Space Tax.
(Memo with agenda. Introduction of ordinance to amend Section 8-2.1005 of the Modesto Municipal Code needed.)

ACTION: By motion (Elliott/Siefkin, maj. - Kullijian and Mayor Davies, no) Ord. No. 1662-C.S. introduced amending Municipal Code, reducing school site and facilities tax to $324 per Mobile home space. (Clerk to handle)

CONSENT

18. Consider ordinance establishing fees for participation in cost of canal crossings by area benefited by those canal crossings.
(At its August 15 meeting, the Council directed the Staff to prepare the necessary documents that would provide for the sharing of the cost in constructing new canal crossings by the City and the area adjacent to the canal benefited by new crossings. Memo with agenda. Introduction of regular ordinance and adoption of urgency ordinance needed.)

ACTION: Ord. No. 1663-C.S. adopted amending Municipal Code relating to construction of canal crossings (emergency). (Clerk to handle)

Ord. No. 1664-C.S. introduced amending Municipal Code relating to construction of canal crossings. (Clerk to handle)

UNFINISHED BUSINESS

19. Further consideration of lease agreement between the City of Modesto and the Great Valley Travel Club, Inc. to conduct a travel club at the Modesto City-County Airport/Harry Sham Field.
(An agreement has been prepared and executed by the Great Valley Travel Club to cover their operations at the Airport. The agreement sets forth in part that the club will pay a landing fee, a boarding fee, construct an airport parking apron, provide vehicle parking, and hold the City free of any liability of claims. The lease agreement is for one year with an option to renew for a two-year term. Resolution approving agreement needed.)

ACTION: Res. 77-1108 adopted (Lang/Elliott, unan.) approving agreement. (P/W to handle)

CONSENT

20. Further consideration of petition to close Grove Avenue near McHenry.
(Memo with agenda. It is recommended that petitioners be informed of the requirements for filing for a permanent street closure. Motion authorizing staff to inform petitioners needed.)

ACTION: By motion, staff authorized to inform petitioners re street closure. (P & T to handle)

NEW BUSINESS

21. Consider relocation of bus transfer point.
(Memo with agenda. It is recommended that the Council authorize staff to relocate the bus transfer point to the northeast corner of 9th and I Streets.)

ACTION: By motion (Lang/Kullijian, maj. - Mensinger and Siefkin, no) bus transfer point moved to 9th and Eye Streets.

Staff to come back in two weeks with recommendation regarding shelters. (P & T to handle)

22. Consider revisions to City bus routes, 2, 3, 4, and 11.
(Memo with agenda. The proposed revisions will increase bus service area coverage and can be implemented with no additional increase in costs, buses, or bus hours of operation and without any change in the scheduled frequency of service. Motion authorizing staff to implement revisions to City bus routes 2, 3, 4, and 11 needed.)

ACTION: By motion (Elliott/Kullijian, unan.) route revisions approved. (P & T to handle)

23. Discussion of Wastewater Treatment Plant improvements.

ACTION: By motion (Dunlap/Kullijian, unan.) Council approved recommendation that Council's concern be made known to E.P.A. re delay in concept approved and request that a schedule be established and items to be covered in the E.I.S. be outlined. (P/W to handle)

CONSENT

24. Consider approval of Citizens Housing and Community Development Committee recommendations regarding expiring contract with Self-Help Enterprises.
(Memo with agenda. Resolution approving extension of agreement needed.)

ACTION: Res. 77-1109 adopted approving extension of agreement. (Planning to handle)

CONSENT
25. Resolution of appreciation to Sarah Jackson for serving on the Personnel Commission.
(Mrs. Jackson served from 12-1-69 to 10-10-77, two full terms, on the Personnel Commission. Resolution of appreciation needed.)

ACTION: Res. 77-1110 adopted expressing appreciation to Sarah Jackson for serving on the Personnel Commission. (Clerk to handle)

CONSENT
26. County referral of Open Space Contract Application No. 78-3129, Clifford and Esther Holmes, west side of Ohio Avenue, north of Waverly Drive, 9.89 acres.
(Memo and map with agenda. Resolution expressing recommendation of no opposition needed.)

ACTION: Res. 77-1111 adopted expressing no opposition to Application No. 78-3129 - Clifford and Esther Holmes. (Planning to handle)

CONSENT
27. County referral of Open Space Contract Application No. 78-3141, Thomas McManis, north side of Shoemake, 18.60 acres.
(Memo with agenda. Resolution expressing recommendation of no opposition needed.)

ACTION: Res. 77-1112 adopted expressing no opposition to Application No. 78-3141 - Thomas McManis. (Planning to handle)

CONSENT
28. Consider revision to the Airport Operations Manual and revising the Emergency Plan at the Modesto City-County Airport/Harry Sham Field.
(With the acquisition of the new fire crash rescue truck, the classification of the Airport can be raised from Index A to Index B. The Emergency Plan has been adopted and procedures are being updated to meet FAA standards. Memo with agenda. Motion approving revision to the Airport Operations Manual and authorizing City Manager to submit application to FAA, and resolution authorizing City Manager to sign new letter agreement needed.)

ACTION: By motion, revision approved and City Manager authorized to submit application. (C/Mgr to handle)

Res. 77-1113 adopted approving letter agreement with Modesto Airport Traffic Control Tower and Empire Fire District Station for emergency service to the Modesto City-County Airport/Harry Sham Field. (P/W to handle)

CONSENT
29. 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 except the lease is for a full year and will expire on 10-31-78. The City will receive $108 to pay for water and a $25 rental charge. This is a small triangular shaped area that will eventually be landscaped and used for parking when funds are avilable. The lessees will use the area as a garden and save the City the cost of maintaining it. Resolution approving agreement needed.)

ACTION: Res. 77-1114 adopted approving agreement. (P/W to handle)

CONSENT

30. Consider approving lease agreement with Joseph De Anna for the lease of the former Dr. Anderson property (19 acres) - part of future Dry Creek Park Area.
(This is a renewal of an existing lease. All terms remain the same except the rent has been lowered to $400/year from $450/year. The rent is being lowered because the property has a lot of dead trees on it. Lease will expire 10-31-78. Resolution approving agreement needed.)

ACTION: Res. 77-1115 adopted approving agreement. (P/W to handle)

CONSENT

31. Consider approving lease agreement with Henry Goni for the lease of a portion of the former Hogin property (25 acres) - part of future Dry Creek Park Area.
(This is a renewal of last year's lease. All terms remain the same except the new lease is for a three-year term, expiring on 10-31-80. City will received 15% of the peach crop. Resolution approving agreement needed.)

ACTION: Res. 77-1116 adopted approving agreement. (P/W to handle)

CONSENT

32. Consider approving lease agreement with Donald H. Scott and Margaret D. Scott for the lease of a portion of the former Maxwell property (8 acres) - part of future Dry Creek Park area.
(This is a renewal of last year's lease. All terms remain the same. The new lease will expire on 10-31-78. City will receive 15% of all crops. Resolution approving agreement needed.)

ACTION: Res. 77-1117 adopted approving agreement. (P/W to handle)

CONSENT

33. Consider approval of lease agreement with Basic Resources, Inc., for rental of office space to accomodate Planning Department for four months during City Hall renovation.
(Memo with agenda. Resolution approving lease agreement needed. Estimated Cost: $3,500.00; funds are budgeted.)

ACTION: Res. 77-1118 adopted approving agreement. (Management Services to handle)

34. Consider Master Plan for Sonoma Park.
(Oral presentation will be made at the meeting. A copy of the Master Plan Report is included with the agenda. Motion approving final Master Plan for Sonoma Park needed.)

ACTION: By motion (Kullijian/Lang, unan.) plan approved. (P & R to handle)

CONSENT

35. Consider upgrading of one Police Officer position to Police Sergeant. Consider changes in the classification of Office Services Supervisor and amending the salary range.
(Memo with agenda. Motion approving upgrading of one Police Officer position to Police Sergeant needed. Resolution revising the Position Classification Plan for the City of Modesto needed. Resolution amending Exhibit "F" of resolution entitled "A Resolution Establishing Salary Schedules and Fixing Compensation for Positions in the City Service" needed. Estimated Cost: $1,000; funds are budgeted.)

ACTION: By motion, one Police Officer position upgraded to Police Sergeant. (Management Services to handle)

CONSENT
35. Consider upgrading of one Police Officer position, continued.

ACTION: Res. 77-1119 adopted Revising Position Classification Plan.

Res. 77-1120 adopted amending Exhibit "F" of Resolution 77-660 entitled "A Resolution establishing salary scehdules and fixing compensation for positions in the City service." (Management Services to handle)

CONSENT
36. Consider authorizing the City of Modesto joining an amicus curiae brief in Blake v. City of Los Angeles and Fleury v. City of Sacramento. (Memo with agenda. Motion authorizing participation by City of Modesto needed.)

ACTION: By motion, participation authorized. (C/Atty to handle)

CONSENT
37. Consider recommendation from the Chief Administrative Officer of the County concerning landfill user rates at the Geer Road Landfill. (Memo with agenda. Motion approving recommendation needed.)

ACTION: By motion, recommendation approved. (P/W to handle)

38. Consider grant from Economic Development Administration for parking structure on 11th Street.
(Memo with agenda.)

ACTION: Res. 77-1121 adopted (Mensinger/Siefkin, unan.) authorizing application for grant. (C/Mgr to handle)

REPORTS

39. Report on golf fees.
(In July the staff proposed a new set of golf fees which the Council referred back to the staff for some alternatives that would implement the fee over a three or five year basis. The new proposal is now ready for Council consideration. Report with agenda. Resolution establishing new fees schedule needed.)

DROPPED FROM AGENDA

CONSENT
40. Resolution 77-554 established limitations on the use of water from the Municipal Water System during June, July, August, September and October, 1977. These limitations were established in an effort to conserve water by prohibiting irrigation of all landscaped areas between 3:00 P.M. and 9:00 P.M. of each day during June through October, 1977. This restriction will end October 31, 1977. A detailed report summarizing conservation efforts during June through October will be presented at the November 7, 1977 Council meeting. (No action required.)

NONE

MISCELLANEOUS

41. Legislation.

NONE

42. Appointments.

ACTION: Res. 77-1122 adopted (Kullijian/Lang, unan.) establishing the Near North Side Users Committee, Target Area #2, setting Richard Loughmiller's term as Chairman to expire 10-23-81, and appointing W. E. Russell, Joseph Byrne, A. F. Lehman, and Frank Salas, Jr. as members, terms to expire 10-23-81. (Clerk to handle)

43. Matters too late for the agenda.

ACTION: By motion (Elliott/Lang, unan.) a preapplication to Federal Government for a 90% grant to construct a fire station at the airport was approved. (Fire to handle)

Adjourned at 11:00 P.M. to executive session to consider property acquisition with the announcement that the 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 NOVEMBER 7, 1977 AT 4:00 P.M.

Roll Call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None
Councilmembers Elliott and Siefkin arrived at 4:02 P.M.
Councilmember Kullijian arrived at 4:05 P.M.

Pledge of Allegiance to the Flag
Invocation by Reverend David Siefert, Greenwood Grace Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 26, 27, 28, 31, 32, 33, 34, 35, 36, 37, 38, 39, 41, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 55, 57, 58, 59, 60, 61, 62
Item 40 removed from consent.
Lang/Mensinger, unanimous, 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.)

PRESENTATION

1. Presentation by Mrs. Julia Saugstad, League of Women Voters, of the book, "The Guide to California Government."

ACTION: Mayor Davies thanked Mrs. Saugstad for the book.

MINUTES

CONSENT
2. Approval of the minutes of the adjourned regular meeting of October 24, 1977, and the regular meeting of October 24, 1977. (Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

3. Letter from Ms. Yvonne Allen, President, Stanislaus Women's Refuge Center, regarding a proposal to be submitted to the City Council.

ACTION: By motion, (Dunlap/Kullijian, unanimous.) request referred to staff for report to be returned to City Council on November 21, 1977. (Police to handle)

4. Letter from Ray Ewing, Secretary, Business Manager, Building and Construction Trades Council, regarding access across City property at Briggsmore and Prescott.
Councilmember Mensinger was excused due to a conflict of interest.

ACTION: By motion (Siefkin/Dunlap, unanimous, Mensinger absent), no action taken on this item.

CONSENT
5. Appeal by W. A. Johnston to Board of Zoning Adjustment decision regarding building on a substandard lot at Harvard and Columbia Way. (Resolution setting hearing on November 28, 1977, at 7:45 P.M. needed)

ACTION: Res. 77-1123 adopted setting hearing. (Clerk to handle.)

CONSENT
6. Letter from D.I.D. requesting use of high ranger trucks and personnel to install Christmas decorations.
(Motion approving needed.)

ACTION: By motion, request approved. (P & R to handle)

CONSENT
7. Letter from D.I.D. requesting use of two parking spaces at 11th and I Streets for parking the "40 and 8" locomotive 5 days during the Christmas season.
(Motion approving needed.)

ACTION: By motion, request approved. (P & R to handle)

BIDS

CONSENT
8. Consider approving specifications and authorizing call for bids to be opened November 29, 1977, at 2:00 P.M. for furnishing nine microfiche readers and one reader-printer.
(Equipment will be used by Public Works, Building Inspection, Fire, Parks, Planning and Finance Departments in conjunction with the computer which will assist in reducing printed computer data and provide a more efficient method of storing documents. Resolution authorizing call for bids needed. Estimated Cost: $4,000.00; funds are budgeted.)

ACTION: Res. 77-1124 adopted approving specifications and bid call. (Finance to handle)

CONSENT
9. Consider approval of plans and specifications and call for bids for the construction of waterlines in Carpenter Manor and Randy Park.
(Suggested bid opening: November 22, 1977 at 11:05 A.M.

Costs and Revenues:	Carpenter Manor	Randy Park
Construction	$5,754	$20,412
Connection Charges	2,200	5,580
Net Revenue	174	679

Resolution approving plans and specifications and call for bids needed. Estimated Cost: $26,166 ($20,691 Contract, $5,475 Engineering and Materials); funds are budgeted.)

ACTION: Res. 77-1125 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
10. Consider approval of plans and specifications and call for bids for construction of site improvements of Pump Station B-9 at Crows Landing Road and Olivera Road.
(Suggested bid opening: November 22, 1977 at 11:10 A.M. This project will install street improvements, a block fence, a paved storage area, landscaping and miscellaneous improvements. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $23,000 ($20,000 Contract, $3,000 Engineering & Materials); Funds are budgeted.)

ACTION: Res. 77-1126 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
11. Approve plans and specifications and call for bids for Unit I of Phase I, Tuolumne River Regional Park.
(This includes an area of approximately 22 acres and includes grading, paving, irrigation and landscaping, and development of parking lot and roadway, installation of picnic units, barbecues, organizational campsite, restrooms and lights. The bid opening will be on December 6, 1977, at 11:00 A.M. The plans and specifications as proposed have been approved by the Tuolumne River Regional Park Committee. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $441,000.00; funds are budgeted.)

ACTION: Res. 77-1127 adopted approving plans, specifications and bid call. (P & R to handle)

CONSENT
12. Consider award of contract for construction of waterlines in Bloomfield No. 2
(Bids were opened November 1, 1977. The low bid of $42,129.60, submitted by Western Pipeline Co., Inc. is 5% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Western Pipeline Co., Inc. needed. Funds are budgeted.)

ACTION: Res. 77-1128 adopted awarding contract to Western Pipeline Co., Inc. (P/W to handle)

CONSENT
13. Consider award of contract for construction of waterlines in Tierra Plaza.
(Bids were opened October 25, 1977. The low bid of $17,892, submitted by Joe Martin is 11% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract to Joe Martin needed. Funds are budgeted.)

ACTION: Res. 77-1129 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT
14. Consider acceptance of the Flintkote Company contract for the asphalt concrete surfacing of various residential alleys - Project No. 6. (Original: $14,073.00)
(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. Resolution accepting work as complete needed. Final Cost: $14,216.86; funds are budgeted.)

ACTION: Res. 77-1130 adopted accepting work as complete. (Clerk to handle)

CONSENT
15. Consider acceptance of Albert M. Biehl's contract for the installation of the Thousand Oaks Park Irrigation system. (Original contract: $13,411.00)
(All work on this project has been completed to the satisfaction of the Parks & Recreation Department and 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: $13,411.00; funds are budgeted.)

ACTION: Res. 77-1131 adopted accepting work as complete. (Clerk to handle)

CONSENT
16. Consider acceptance of W. M. Lyles' contract for the construction of a subtrunk sewer in Nightengale Way & Blue Bird Way. (Original contract: $82,000.00)
(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. Resolution accepting work as complete needed. Final Cost: $81,659.60; funds are budgeted.)

ACTION: Res. 77-1132 adopted accepting work as complete. (Clerk to handle)

HEARINGS

17. Hearing on annexation of Scenic Bend Addition to Modesto Municipal Sewer District No. 1. 4:00 P.M.

ACTION: Res. 77-1133 adopted (Lang/Kullijian, Unan.) annexing Scenic Bend Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle.
Councilmember Kullijian left the room at 5:00 P.M. for 10 minutes.

18. Hearing, sale of excess land 4:05 P.M.

ACTION: Res. 77-1134 adopted (Elliott/Dunlap, Unan., Kullijian absent) accepting high bid on parcel #1 from Andreas Jauregui for $8,100 and second high bid from Phillip Soderstrom for $8,000.

Res. 77-1135 adopted (Dunlap/Lang, unan., Kullijian absent) accepting high bid on parcel #2 from William Mineni for $18,650 and second high bid from R. J. Martin for $17,556.50.

Councilmember Kullijian returned to Council Chambers.

Res. 77-1136 adopted (Dunlap/Lang unanimous.) accepting high bid on parcel #3 from Larry Killian for $18,600. and second high bid from Daryl Gregg of $18,500.

Councilmember Kullijian left the room at 5:45P.M. for 5 minutes.

Res. 77-1137 adopted (Mensinger/Lang, unanimous, Kullijian absent) accepting high bid on parcel #4 from Larry Killian for $3,300 and second high bid from Gary Bright for $3,200.

Councilmember Kullijian returned to Council Chambers.
Councilmember Lang left the room at 5:35 P.M. for 5 minutes.

Res. 77-1138 adopted (Dunlap/Mensinger, unanimous, Lang absent) accepting high bid on parcel #5 from Sox Suzuki of $24,000 and second high bid from Robert J. Martin of $19,706.50.

Councilmember Lang returned to Council Chambers.

Res. 77-1139 adopted (Lang/Elliott, Unanimous.) accepting high bid on parcel #6 from Larry Killian for $5,800 and second high bid from First Baptist Church for $5,700. (Clerk to handle)

19. Hearing on amendment to Sec. 17-3-9 of the Zoning Map to rezone from R-1 to P-O property located at the northeast corner of Timothy Avenue and Judith Lane. (Ernest Angelos) 4:10 P.M.

ACTION: By motion (Kullijian/Lang, unanimous.) Ord. No. 1665-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-1140 adopted (Kullijian/Lang, unanimous.) directing Director of Planning and Community Development to file notice re. Environmental Review. (Planning to handle)

20. Hearing on appeal by Gilbert Wymond, Burger King, to decision of Board of Zoning Adjustment regarding: 4:15 P.M.
a. Revised Plot Plan

b. Variance to permit on-premise signs

ACTION: Res. 77-1141 adopted (Dunlap/Elliott, unanimous.) granting appeal, approving plot plan, denying request for free-standing identification sign, and granting variance for other two signs. (Clerk to handle)

By motion (Mensinger/Siefkin, Unan.) Planning Commission requested to study the C-2 zoning on McHenry, North of Briggsmore and recommended whether or not it should be changed to H-1 zoning. (Planning to handle)

21. Hearing on amendment to Sec. 22-3-9 of the Map to rezone from R-1 to P-O property located at the northeast corner of Coffee Road and E. Coolidge Avenue (John and Marcella Hanson) 4:20 P.M.

ACTION: By motion (Siefkin/Elliott, Unan.), Ord. No. 1666-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-1142 adopted (Siefkin/Elliott, unan.) directing Director of Planning and Community Development to file Notice re. Environmental Review. (Planning to handle)

22. Hearing on amendment to zoning regulations, Temporary Parking Standards, Downtown. 4:25 P.M.

ACTION: By motion (Kullijian/Lang, unan.), Ord. No. 1667-C.S. introduced amending Zoning Regulations. (Clerk to handle)

23. Matters for the good of the community. (These may be presented by interested persons in the audience). None 4:30 P.M.

ORDINANCES

24. Final adoption of Ord. No. 1656-C.S., rezoning property from R-2 to P-D(172), Tully and Standiford Avenue (Rule Development). (Motion adopting needed).

ACTION: By motion (Lang/Elliott, Majority, Dunlap & Siefkin-no), Ord. No. 1656-C.S. adopted. (Clerk to handle)

25. Final adoption of Ord. No. 1662-C.S., School Site and Facilities Tax amendment (Mobile home space).

ACTION: By motion (Lang/Mensinger, Majority, Kullijian & Mayor Davies-no) Ord. No. 1662-C.S. adopted. (Clerk to handle)

CONSENT

26. Final adoption of Ord. No. 1664-C.S. relating to construction of canal crossings. (Motion adopting needed.)

ACTION: By motion, Ord. No. 1664-C.S. adopted. (Clerk to handle)

CONSENT

27. Recommend adoption of emergency ordinance, Chapter 4, Title 4, Subdivision Map Act, to reinstate Subsections 4-4.502(g) and (h). (Memo with agenda. Adoption of emergency ordinance and introduction of regular ordinance needed.)

ACTION: By motion, Ord. No. 1668-C.S. adopted, and by motion, Ord. No. 1669, C.S. introduced reinstating deleted subsections. (Clerk to handle)

CONSENT

28. A. Consider two ordinances revising various sections of Modesto Municipal Code Title III, Chapters 2 and 8, Parking and Traffic Regulations.

B. Consider three ordinances and one resolution relating to parking facilities. (Memo with agenda. Introduction of 5 ordinances and adoption of one resolution needed.)

ACTION: By motion, Ord. No. 1670-C.S. introduced revising Chapter 2 of Title III of the Modesto Municipal Code relating to traffic regulations.

By motion, Ord. No. 1671-C.S. introduced revising Chapter 8 of Title III of the Modesto Municipal Code relating to traffic regulations.

By motion, Ord. No. 1672-C.S. introduced amending Article 15 of Chapter 2 of Title III of the Modesto Municipal Code relating to parking meters.

By motion, Ord. No. 1673-C.S. introduced revising Article 16 of Chapter 2 of Title III of the Modesto Municipal Code relating to off-street parking facilities.

By motion, Ord. No. 1674-C.S. introduced amending the parking meter zoning map of the City of Modesto.

Res. 77-1143 adopted relating to off-street parking facilities. (Clerk to handle)

UNFINISHED BUSINESS

29. Further report on Highway 108 Corridor Study.
(Memo with agenda. Pending action by SAAG, it is recommended that we offer to cooperate with Caltrans in implementing four of their "Minor Projects" and that we indicate that a one-way couplet is not an acceptable solution. Motion directing staff to proceed towards implementing four "Minor Projects" on McHenry Avenue needed.)

(a) Letter from Mrs. Cynthia Hass Caudle regarding Briggsmore-McHenry intersection.

ACTION: By motion (Lang/Kullijian, unan.), all recommendations except restripping McHenry Avenue to five lanes approved. By motion (Elliott/Mensinger, unan.) staff to report further on proposed restripping. (P & T to handle)

NEW BUSINESS

30. Consider purchase of bus shelters for 9th and I and report on transfer point relocation.
(Five bus stop shelters for the new 9th and I transfer point will cost about $10,138 installed. It will take 65-70 days to obtain and install the shelters. The transfer point will be moved to 9th and I about November 14, 1977. Resolution waiving formal bids and authorizing purchase of five bus stop shelters from Community Shelters needed. (5 affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 77-1144 adopted (Dunlap/Elliott, Majority, Kullijian and Mayor Davies-no) waiving formal bid procedure and authorizing purchase of five shelters. By motion (Dunlap/Elliott, Majority, Kullijian and Mayor Davies-no), staff directed to move the bus transfer point as soon as the shelters are installed.
By Motion (Siefkin/Elliott,unan.), five additional bus shelters are to be added to the budget. By order of the Chair, discussion of the contract for bus bench advertising is to be placed on the November 14, 1977 Council agenda for discussion.
(P & T/Finance/Clerk to handle)

CONSENT

31. Consider agreement with David O. Hannah, Natalie June Hannah, Angelo Meanza, and Catherine Meanza for the purchase of.250± acres of right of way needed for the Evergreen/Angela to Carver project.
(The Hannahs and Meanzas have agreed to sell the needed right of way for $3,125.00 which is the appraised value of the right of way. Resolution accepting property and approving agreement needed. Funds are budgeted.)

ACTION: Res. 77-1145 adopted accepting property and approving agreement. (P/W to handle)

CONSENT
32. Consider authorizing the City of Modesto joining in amicus curiae briefs in City of Sacramento v. Municipal Court and City of Laguna Beach v. Superior Court.
(Memo with agenda. Motion authorizing participation by City of Modesto needed.)

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

CONSENT
33. County referral of Open Space Contract Application No. 78-3092, Bart Arotca, east side of Claus Road, 29.58 acres.
(Memo with agenda. Resolution expressing recommendation of opposition needed.)

ACTION: Res. 77-1146 adopted opposing application No. 78-3092, Bart Arotca. (Planning to handle)

CONSENT
34. County referral of Open Space Contract Application No. 78-3155. Joseph Dezanni, et al, south side of Hatch Road, 14.79 acres.
(Memo with agenda. Resolution expressing recommendation of opposition needed.)

ACTION: Res. 77-1147 adopted opposing application No. 78-3155, Joseph Dezanni. (Planning to handle)

CONSENT
35. Consider authorizing application to P.U.C. for reimbursement of half of City's cost for railroad lights at the M. & E.T. crossing of Empire, Daly, and Riverside.
(Memo with agenda. The City's share of this City-County M. & E.T. project was $29,344.25. Half of that amount, $14,672.12 is reimbursable from the State's Crossing Protection Fund. Resolution authorizing application for State aid for grade crossing protection improvement needed.)

ACTION: Res. 77-1148 adopted authorizing application for reimbursement. (P & T to handle)

CONSENT
36. Agreement with John Sue Associates for Muncy Park Master Plan.
(Agreement provides that John Sue Associates, Landscape Architects, will prepare a master plan for Muncy Park for a lump sum figure of $4,500 to be ready by February 13, 1978. The agreement is the standard agreement used for all master plans. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 77-1149 adopted approving agreement. (P & R to handle)

CONSENT
37. Consider agreement to allow juror parking on two City lots.
(Memo with agenda. Agreement is with County and covers Lincoln School site and 8th at K lot. There is no rent and the County protects the City against some liability. Resolution approving agreement and authorizing its execution needed.)

ACTION: Res. 77-1150 adopted approving agreement. (P & T to handle)

CONSENT
38. Resolution of Intention to call special election for annexation of Sutter-Colorado Addition to the City of Modesto.
(A petition containing 36 valid signatures and requesting that the Sutter-Colorado Addition be annexed to the City of Modesto has been filed with the City Clerk. This represents 31% of the registered voters. Resolution setting hearing on November 28, 1977 at 7:35 P.M. needed).

ACTION: Res. 77-1151 adopted setting hearings. (Clerk to handle)

CONSENT

39. Consider abandonment of a portion of a Public Utility Easement in lot 4 of Block 1566 in Havenbrook Park No. 1 subdivision, City of Modesto. (Memo with agenda. Resolution vacating and abandoning a portion of a Public Utility Easement in Lot 4, Block 1566, Havenbrook Park No. 1 needed).

ACTION: Res. 1358 S.P. adopted vacating and abandoning easement. (P/W to handle)

40. Consider deleting Water and Energy Conservationist position and hiring an additional Administrative Analyst.
(Memo with agenda. Two resolutions amending the Position Classification Plan and Salary Resolution to delete the position of Water and Energy Conservationist, and a motion approving the hiring of an additional Administrative Analyst needed.)

ACTION: Res. 77-1152 adopted (Mensinger/Elliott, Majority, Kullijian-no) amending Position Classification. Res. 77-1153 adopted (Mensinger/Elliott, Majority, Kullijian-no) amending Salary Resolution. By motion, (Mensinger/Elliott, Majority, Kullijian-no) hiring Administrative Analyst approved. (Management Services to handle)

CONSENT

41. Adjustment to the General Fund Budget to enable the financing of a Traffic Enforcement Expansion Program with current funds recently authorized by the State of California, Business and Transportation Agency, Office of Traffic Safety.
(Letter from Office of Traffic Safety approving grant application is with the agenda. Resolution adjusting the budget needed.)

ACTION: Res. 77-1154 adopted adjusting budget. (Finance to handle)

42. Downey Park and Davis Park Community Service Centers Plan and Elevation Studies preliminary plans and elevations approved. Presentation by Abst and Grothe Associates of plan and elevation studies for the Downey and Davis Community Service Centers. Oral report at meeting. Motion approving plan and elevation of proposed buildings needed.)

ACTION: By motion (Dunlap/Siefkin, unan.) plans and elevations approved. (P & R to handle)

CONSENT

43. Consider approving agreement with Hasco Development Company for the donation of needed right of way.
(This agreement has been proposed to make use of Section 10-2.1622 of the Municipal Code which allows the Council the discretion of allowing a higher number of dwelling units in a development based on gross acreage before right of way donation when the City is widening an existing street. Memo with agenda. Resolution accepting the right of way and approving the agreement needed.)

ACTION: Res. 77-1155 adopted accepting right of way and approving agreement. (P/W to handle)

CONSENT

44. Consider agreement with Merchants Refrigerating Company of California, a California Corporation for the acquisition of two avigation easements for the Modesto City-County Airport/Harry Sham Field.
(Merchants Refrigerating Company has agreed to sell the two easements which contains 72,000± sq. ft. and 736± sq. ft. to the City for their appraised value of $1,900 (1,800 and $100). These easements are required by the Federal Aviation Administration. The easements are located off Runway 10L at the northerly end of the Airport. Resolution accepting the easements and approving the agreement needed. Estimated Cost: $1,900 Easements, $250 Escrow fees, $2,150 Total; funds are budgeted.)

ACTION: Res. 77-1156 adopted accepting easements and approving the agreement. (P/W to handle)

CONSENT
45. Consider approving agreement with Del Este Water Company, a corporation, for the purchase of 150± sq. ft. of their property. The property is needed for the Orangeburg, Collier to Coffee project.
(Del Este has agreed to sell the required right of way for the appraised value of $225. Resolution accepting the property and approving the agreement with Del Este needed. Estimated Cost: $225 plus $5 (recording of partial release of mortgage), Total $230; Funds are budgeted.)

ACTION: Res. 77-1157 adopted accepting property and approving agreement. (P/W to handle)

CONSENT
46. Consider amendment of the grant agreement from the Federal Aviation Administration for projects at the Modesto City-County Airport/ Harry Sham Field.
(The grant agreement authorizes projects at the Airport. The projects will not be completed in the fiscal year 1977, and an amended grant offer has been forwarded to the City by the FAA. It is recommended the amended grant offer be approved. Memo with agenda. Resolution approving the amended grant offer needed.)

ACTION: Res. 77-1158 adopted approving amended grant offer. (P/W to handle)

CONSENT
47. Consider approval of application for Federal assistance to fund interim wastewater treatment facility improvements.
(The State with the concurrence of EPA has granted concept approval for installing supplemental aeration equipment at the remote ponds. The application is similar to those previously processed by the City and includes a number of documents to complete the package. The total cost of the project is estimated to be $1,300,000. 87½% of the project cost will be funded by State and Federal grant funds. It is recommended that the Council authorize the City Manager to execute the required documents on behalf of the City. Resolution authorizing City Manager to execute documents on behalf of the City needed.)

ACTION: Res. 77-1159 adopted authorizing City Manager to execute documents. (P/W to handle)

CONSENT
48. Consider setting hearing to consider amending Conflict of Interest Codes for the Public Works and Finance Departments.
(Changes in Personnel assignments and position allocations require amendments of existing Conflict of Interest Codes in the Public Works and Finance Departments. Memo with agenda. Resolution setting hearing for 4:20 P.M., Monday, November 21, 1977, to consider amending Conflict of Interest Codes Needed.)

ACTION: Res. 77-1160 setting hearing. (Clerk to handle)

CONSENT
49. Consider acceptance of a Clean Water Grant from State of California in the amount of $2,750 and from EPA in the amount of $16,500.
(The City made application some months ago for grants to cover the cost of engineering for additional aerators at the remote pond site. Grant offers for the engineering have been received from both the State and EPA. The total cost of the engineering is $22,000. It is recommended that the City Manager be authorized to execute the grant offers on behalf of the City. Resolution accepting grant offers and authorizing City Manager to execute offers on behalf of City needed.)

ACTION: Res. 77-1161 adopted accepting grant offers and authorizing City Manager to execute offers. (P/W to handle)

CONSENT

50. Uninhabited annexation to the City of Modesto - Palmilla Drive Addition. (The LAF Commission has authorized this annexation without notice of public hearing. Resolution annexing needed.)

ACTION: Res. 77-1162 adopted annexing Palmilla Drive Addition.
Res. 77-1163 adopted certifying review of environmental assessment. (Clerk to handle)

CONSENT

51. Consider authorizing purchase of new floor hoist for Police garage. (Existing floor hoist in use at the Police garage has failed and is beyond repair. Replacement is necessary for the Police garage to perform its function in an effective, efficient manner. Memo with agenda. (1) Resolution waiving formal bid procedure and authorizing the purchase of floor hoist needed. (5 affirmative votes needed) (2) Resolution approving fund transfer in the amount of $3,900 needed. Estimated Cost: $3,900)

ACTION: Res. 77-1164 adopted, waiving formal bid procedure and authorizing purchase.
Res. 77-1165 adopted approving transfer. (Finance to handle)

REPORTS

CONSENT

52. Report on request to close streets on west side of McHenry on weekends. (Memo with agenda. It is recommended that, if the report seems satisfactory, the matter be scheduled for November 28, 1977, to allow comments by petitioners and others at an evening. Resolution setting informal hearing for November 28, 1977 at 7:40 P.M. needed.)

ACTION: Res. 77-1166 adopted setting hearing. (Clerk to handle)

CONSENT

53. Notice of P.G. & E. application to build natural gas terminal and pipeline.
(Memo with agenda. Terminal and pipeline would be on the coast about 40 miles north of Santa Barbara. Liquefied natural gas would be brought to our coast in ships and then transferred into the pipeline. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.
Councilmember Dunlap was excused at 8:35 P.M.

54. Presentation of staff report on three proposed plans for a City-County operated Spay/Neuter Clinic.
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Elliott/Mensinger, unan., Dunlap absent), concept approved with the understanding that the plan will be discussed with the Board of Supervisors. (Management Services to handle)

CONSENT

55. Report on Water Conservation Program for 1977.
(The limitations on the use of water from the Municipal Water System ended October 31, 1977. An appropriation transfer for $1,757 is needed to pay for advertisements in the Modesto Bee.
Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 77-1167 adopted approving transfer. (Finance to handle)

56. Report on annual Urban Growth Policy Review.
(The Public Projects Committee held hearings last month and formulates its recommendations to the Council for final action. Memo with agenda. Motion accepting Public Projects Committee's recommendations needed.)

ACTION: By motion (Elliott/Kullijian, unan., Dunlap absent) recommendations 1 as revised, 2 and 3 approved. (Planning to Handle)

CONSENT

57. Presentation of combine Annual Financial Report and Audit Report for 1976-1977 Fiscal Year.
(Copies of report will be distributed at this meeting. This year the audit is being presented in a new concept. In the past years the auditor has prepared a financial report which was a duplication of the Finance Department's Annual Financial Report. Instead of doing this the auditor has incorporated their Audit Report into the Finance Department's Annual Financial Report. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

58. Recommend to Council an amendment to Section 21-3-9 of the Zoning Map - Rodney Johnson.
(On October 18, 1977, the Planning Commission adopted Res. 77-189 recommending to the Council an amendment to Section 21-3-9 of the zoning map to rezone from R-1 to P-D to allow construction of a 36-dwelling multiple-family residential complex property located at the southwest corner of East Granger and Sunrise. Resolution setting public hearing on November 28, 1977 at 7:30 P.M. needed.)

ACTION: Res. 77-1168 adopted setting hearing. (Clerk to handle)

CONSENT

59. Recommend to Council an amendment to Section 22-3-9 of the Zoning Map - John and Marcella Hanson.
(On October 18, 1977, the Planning Commission adopted Res. 77-188 recommending to the Council an amendment to Section 22-3-9 of the zoning map to rezone from R-1 to P-O property located at the northwest corner of Water Street and E. Coolidge Avenue. Resolution setting public hearing on November 28, 1977 at 7:50 P.M. needed.)

ACTION: Res 77-1169 adopted setting hearing. (Clerk to handle)

CONSENT

60. Recommend to Council an amendment to Section 21-3-9 of the Zoning Map - Angelo Pierini.
(On October 18, 1977, the Planning Commission adopted Res. 77-190 recommending to the Council an amendment to Section 21-3-9 of the zoning map to rezone from R-1 to R-2, property located on the north side of E. Orangeburg Avenue east of Sunrise Avenue. Resolution setting public hearing on November 28, 1977 at 7:55 P.M. needed.)

ACTION: Res. 77-1170 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

61. Request for appropriation transfer from Special Fund for Capital Outlay-General Reserve to Downey Park Dev./Engr. Account, Davis Park Stage 5-6 account, and RR Crossing Gate accounts at College and at Granger.
(Funds related to the agreements dated May 16, 1977, and December 15, 1975 (Res. 77-522, 77-523 and 75-1169) inadvertently were not encumbered prior to the close of fiscal year 1976-77, nor were they rebudgeted for the current year. Resolution approving appropriation transfer needed.)

ACTION: Res. 77-1171 adopted approving transfer. (Finance to handle)

CONSENT

62. Consider appropriation transfer for the expansion of the terminal parking lot at the Modesto City-County Airport/ Harry Sham Field. (Additional parking facilities are needed at the Airport passenger terminal. It is recommended $20,000 be transferred from the Airport Fire Alarm capital account and have the work completed. Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 77-1172 adopted approving transfer. (Finance to handle)

MISCELLANEOUS

63. Legislation

None

64. Appointments

ACTION: Res. 77-1173 adopted (Mensinger/Siefkin, unan., Dunlap absent) appointing Monroe Taylor to replace Rev. Howard Clarke on the Citizens Community Center Committee. (Clerk to handle)

65. Matters too late for the agenda

None

66. Executive session to discuss property acquisition.

ACTION: Adjourned to executive session at 8:50 P.M. to discuss property acquisition with the announcement that Council would return to open session.

Returned at 8:55 P.M.

Res. 77-1174 adopted (Lang/Kullijian, unan., Dunlap absent) approving purchase of property from Francis & Lillian Christiansen and Clarkson & Marion Bradford for $135,000 for expansion of the Corporation Yard. (P/W to handle)

Adjourned at 8:58 P.M.

ATTEST: Norrine Coyle

Norrine Coyle, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COONCIL MEETING OF MONDAY, NOVEMBER 14, 1977, AT 7:30 P.M.

Roll Call Present: Councilmembers Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: Councilmember Dunlap

Pledge of Allegiance to the Flag
Invocation: Mark Randy, Church of Jesus Christ Briggsmore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33
Lang/Elliott, unan., Dunlap 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 Davies introduced the Webelos Den from Cub Scout Pack 138.

COMMUNICATIONS

CONSENT
1. Letter from Wickland Oil Company appealing a Planning Commission decision regarding revised plot plan P-D (157).
(Resolution setting hearing December 12, 1977 at 7:35 P.M. needed.)

ACTION: Res. 77-1175 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT
2. Consider approval of plans and specifications and call for bids for construction of Conant Avenue from Hetch Hetchy R/W to Standiford Avenue.
(Suggested bid opening date: November 29, 1977 at 11:05 A.M. This project will extend Conant Avenue across the Hetch Hetchy R/W to Standiford Avenue. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $16,991, (Contract $15,447, Engr. & Contgy. $1,544); funds are budgeted.)

ACTION: Res. 77-1176 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
3. Consider approval of plans and specifications and call for bids for the improvement of Evergreen Avenue from Angela Lane to Carver Road.
(suggested bid opening: November 29, 1977 at 11:00 A.M. This project will widen Evergreen Avenue from Angela Lane to Carver Road from a 30 foot half width street to a 40 foot partwide street which will accommodate two lanes of traffic. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $15,872 (Contract $14,429, Engr. & Contgy. $1,443); funds are budgeted.)

ACTION: Res. 77-1177 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
4. Consider approving specifications and authorizing bids to be opened December 20, 1977, at 2:00 P.M. for furnishing automotive and heavy equipment.
(Equipment requested by Public Works Service Division; equipment to be rented to various departments making use of the equipment.

In many cases equipment replaces equipment presently in service. Memo with agenda. Resolution authorizing call for bids needed. Estimated Cost: $307,500.00; funds are budgeted.)

ACTION: Res. 77-1178 adopted approving specifications and bid call. (Finance to handle)

CONSENT

5. Approve plans and specifications and call for bids for street improvements, Housing Target Area Stage 2.
(Bid opening: November 29, 1977 at 11:10 A.M. This project is needed to bring the street surfacing up to match the existing curb and gutter in the housing Target Area Stage 2. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $44,140 (Contract $38,383, Engr. & Contgy. $5,757); funds are budgeted.)

ACTION: Res. 77-1179 adopted approving plans, specifications and bid call. (Public Works to handle)

CONSENT

6. Consider award of contract for construction of the Scenic-Sonoma-Orangeburg Drainage System; McGuire Drive; Orangeburg Avenue; Scenic Drive.
(Bids were opened November 1, 1977. The low bid submitted by E.P. Construction, Inc., is 18.79% above the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Memo with agenda. Resolution awarding contract to E.P. Construction, Inc., and resolution approving appropriation transfer needed. Estimated Cost: $117,357.25 (Contract $108,255.00, Engr. $9,102.25); funds are partially budgeted.)

ACTION: Res. 77-1180 adopted awarding contract to E.P. Construction, Inc. (Public Works to handle)

Res. 77-1181 adopted approving transfer. (Finance to handle)

CONSENT

7. Consider award of contract for the construction of Sylvan Park Stage 1.
(Bids were opened on November 8, 1977. The low bid, submitted by George Reed, Inc., which is 1% above the Engineer's Estimate is considered acceptable. It is, therefore, recommended that the contract be awarded to them. Resolution awarding contract to George Reed, Inc., needed. Estimated Cost: $62,300.00; funds are budgeted.)

ACTION: Res. 77-1182 adopted awarding contract to George Reed, Inc. (Public Works to handle)

CONSENT

8. Consider award of contract for the reroofing of the Maddux Youth Center, 615 Sierra.
(Bids were opened on November 8, 1977. The low bid submitted by Alcal Roofing and Insulation, which is 10% below the Engineer's Estimate is considered acceptable. It is, therefore, recommended that the contract be awarded to them. Resolution awarding contract to Alcal Roofing and Insulation needed. Estimated Cost: $5,966.00; funds are budgeted.)

ACTION: Res. 77-1183 adopted awarding contract to Alcal Roofing and Insulation. (Public Works to handle)

CONSENT

9. Consider award of contract for the installation of irrigation systems and landscaping for Briggsmore Phase II along Briggsmore from a point 350± feet west of Tully east to Ardmor.)

(Bids were opened on November 8, 1977. The low bid submitted by Mark Grover Landscaping, which is 34% below the Engineer's estimate is considered acceptable. It is, therefore, recommended that the contract be awarded to them. Resolution awarding contract to Mark Grover Landscaping needed. Estimated Cost: $32,900; funds are budgeted.)

ACTION: Res. 77-1184 adopted awarding contract to Mark Grover Landscaping. (Public Works to handle)

CONSENT

10. Consider acceptance of Albert M. Biehl's contract for construction of Briggsmore and Prescott irrigation and landscaping. Original contract: $24,846.00
(All work on this project has been completed to the satisfaction of the Public Works Department and Parks and Recreation 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. Actual Cost: $26,816; funds are budgeted.)

ACTION: Res 77-1185 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider rejecting bids for buses.
(Memo with agenda. Two bids were received, one for a bus that doesn't meet specifications and one a late telegraphic bid. It is recommended that the bids be rejected. Resolution rejecting bids is needed.)

ACTION: Res. 77-1186 adopted rejecting bids. (Clerk to handle)

HEARINGS

12. Hearing on annexation of Paradise-Rouse Addition 7:30 P.M.

ACTION: Res. 77-1187 adopted (Kullijian/Lang, unan., Dunlap absent) declaring no majority protest made. (Clerk to handle)
By motion (Kullijian/Lang, unan., Dunlap absent), Ord. No. 1675-C.S. adopted annexing area. (Clerk to handle)

Res. 77-1188 adopted (Kullijian/Lang unan., Dunlap absent) certifying review of environmental assessment (Planning to handle)

13. Hearing - Grant application to Urban Mass Transportation Administration to assist in financing bus operation for FY 1977-78. 7:35 P.M.

ACTION: Res. 77-1189 adopted (Elliott/Siefkin, unan., Dunlap absent) approving grant application for bus operation financing. (Parking & Traffic to handle)

14. Hearing- Grant application to Urban Mass Transportation Administration to assist in financing a capital grant project to acquire 5 buses and related equipment. 7:40 P.M.

ACTION: Res. 77-1190 adopted (Lang/Siefkin, unan., Dunlap absent) approving grant application for acquisition of five buses and related equipment. (Parking & Traffic to handle)

15. Hearing on amendment to Sec. 30-3-9 of the Zoning Map to rezone from R-1 to P-D, property located at the southeast corner of Elm Avenue to permit construction of a neighborhood shopping center. (Horn Construction Co.) 7:45 P.M.

Councilmember Mensinger excused due to a conflict of interest.

ACTION: By motion, (Kullijian/Elliott, unan., Dunlap and Mensinger absent) Ord. 1676-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-1191 adopted (Kullijian/Elliott, unan., Dunlap and Mensinger absent) approving development Plan P-D (173) (Planning to handle)

Res. 77-1192 adopted (Kullijian/Elliott unan., Dunlap and Mensinger absent) directing Director of Planning and Community Development to file Notice re. Environmental Review. (Planning to handle)

16. Hearing on amendment to Sec. 23-3-9 of the Zoning Map to repeal P-D (22) and rezone to C-1, property located on the east side of Oakdale Road on the south side of Surrey Avenue. 7:50 P.M.

ACTION: By motion (Lang/Kullijian, unan., Dunlap absent), Ord. No. 1677-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-1193 adopted (Lang/Kullijian, unan., Dunlap absent) directing Director of Planning and Community Development to file Notice re. Environmental Review. (Planning to handle)

17. Hearing on amendment to Sec. 28-3-9 of the Zoning Map to rezone from R-3 to P-O, property located on the north side of Downey Avenue between McHenry and Johnson Street. (Norman Winsor) 7:55 P.M.

ACTION: By motion, (Kullijian/Elliott, Majority, Siefkin, no; Dunlap absent)., Ord. No. 1678-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-1194 adopted (Kullijian/Elliott, Majority, Siefkin, no., Dunlap absent) directing Director of Planning and Community Development to file Notice re. Environmental Review (Planning to handle)

18. Hearing - Improvement District No. 23, Street Lighting on McHenry. 8:00 P.M.

ACTION: Res. 1359-S.P. adopted (Lang/Mensinger, unan., Dunlap absent) determining no majority protest made.

Res. 1360-S.P. adopted(Lang/Mensinger unan., Dunlap absent) ordering work to be done.

Res. 1361-S.P. adopted (Lang/Mensinger, unan., Dunlap absent) calling for bids. (Clerk & P/W to handle)

19. Continued hearing on appeal by A.G.I. to Planning Commission decision regarding rezoning from P-D (77) to P-O, property located on the north side of Yosemite, west of Capistrano. (continued from 10/24/77 meeting). 8:05 P.M.

ACTION: By motion (Elliott/Kullijian, majority, Mensinger & Siefkin, no., Dunlap absent) Ord. No. 1679-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-1195 adopted (Elliott/Kullijian, Majority, Mensinger and Siefkin, no., Dunlap absent) directing Director of Planning and Community Development to file Notice re. Environmental Review. (Planning to handle).

20. Matters for the good of the Community 8:10 P.M.
(These may be presented by interested persons in the audience.)
Harvy Boyd, Manager of Cablecom General, made a statement regarding Cable TV service in Modesto.

NEW BUSINESS

21. Request from National League of Cities for designation of voting and alternate voting delegates for the Annual Congress of Cities in San Francisco, December 3 - 7, 1977.
(Motion designating delegates needed.)

ACTION: By motion (Elliott/Siefkin, unan., Dunlap absent) Mayor Davies selected as delegate and Vice Mayor Mensinger selected as alternate. (Clerk to handle)
By motion (Lang/Siefkin, unan., Dunlap absent) December 5, Council meeting postponed to Thursday, December 8, 1977, at 4:00 P.M.

CONSENT
22. Consider adoption of resolution incorporating Government Code changes in City's Determination of Disability forms for Local Safety Members of the Public Employment Retirement System.
(Memo with agenda. Adoption of resolution incorporating changes needed.)

ACTION: Res. 77-1196 adopted incorporating changes. (Management Services to handle)

CONSENT
23. Consider adoption of resolution declaring the City of Modesto's policy regarding claims against City officials.
(Memo with agenda. Adoption of resolution needed.)

ACTION: Res. 77-1197 adopted declaring policy regarding claims. (Attorney to handle)

CONSENT
24. Uninhabited annexation to the City of Modesto - California-Panama Addition.
(The LAF Commission has authorized this annexation without notice of public hearing. One resolution annexing needed and one resolution certifying review of environmental impact needed.)

ACTION: Res. 77-1198 adopted annexing California-Panama Addition. (Clerk to handle)
Res. 77-1199 adopted certifying review of environmental assessment. (Planning to handle)

CONSENT
25. Set date for public hearing - Annexation uninhabited territory - Pelandale No. 1 Addition.
(Approved by LAFCO October 25, 1977. Resolution setting date of public hearing January 9, 1978, at 7:30 P.M. needed.)

ACTION: Res. 77-1200 adopted setting hearing. (Clerk to handle)

CONSENT
26. Consider agreement with Henry Goni for the removal of 25 acres of peaches off the former Hogin property.
(Memo with agenda. Mr. Goni will remove the trees in return for two years free use of the property. Supersedes existing lease with Mr. Goni for this property. Resolution approving agreement with Henry Goni needed.)

ACION: Res. 77-1201 adopted approving agreement. (P/W to handle)

CONSENT
27. Procedures and priorities to implement the school site and facilities tax.
(Memo with agenda. Resolution amending Resolution 77-882 which adopted procedures for implementing the School Site and Facilities Tax needed; resolution establishing expenditure priorities for fiscal year 1977-78 needed; motion directing staff to begin the process of school site acquisition needed. Funds will be requested when property appraisals and purchase agreements are completed.)

ACION: Res. 77-1202 adopted amending Res. 77-882.
Res. 77-1203 adopted establishing expenditure priorities for 1977-78. By motion, staff directed to begin acquisition. (Clerk and Planning to handle)

CONSENT
28. Set hearing on request of L.E. McGraw Construction, contractor for addition to Fire Station No. 1, to substitute masonry contractor. (Memo with agenda. Resolution setting hearing for November 21, 1977 at 4:25 P.M. needed.)

ACTION: Res. 77-1204 adopted setting hearing. (Clerk to handle)

CONSENT
29. Consider approval of the final map of the Montpelier 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. (Subdivider: Montpelier Development Company) (The subdivision agreement has been signed and all fees paid. Montpelier subdivision is located on the north side of East Orangeburg Avenue east of Brannon Avenue. It contains 12.222 acres. Resolution approving final map needed.)

ACTION: Res. 77-1205 adopted approving final map. (Clerk to handle)

CONSENT
30. Consider agreement with Stone Bros. & Associates for the purchase of 0.499± acres of right of way needed for the Standiford, Lateral 7 to Tully project. (Stone Bros. & Associates have agreed to sell the required right of way for the appraised value of $6,700.00. Resolution accepting property and approving agreement with Stone Bros. & Associates needed. Estimated Cost: $6,700.00; funds are budgeted.)

ACTION: Res. 77-1206 adopted accepting property and approving agreement. (P/W to handle)

REPORTS

CONSENT
31. Presentation of Financial Statement for October, 1977. (Copies of the report will be presented at the meeting. Motion acknowledging receipt of report needed.)

ACION: By motion, receipt of report acknowledged.

32. Report on bus bench schedules. (Memo with agenda.)

ACTION: By motion (Kullijian/Siefkin, unan., Dunlap absent) staff recommendation to have the franchise-holder provide route decals on metal plates approved. (P & T to handle)
By motion (Elliott/Lang, unan., Dunlap absent) staff requested to make every effort to provide three temporary bus shelters within three weeks. (P & T to handle)

APPROPRIATION TRANSFERS

CONSENT
33. Transfer $10,300 for 5 bus patron shelters. (City Council asked that an appropriation tranfer be made to reimburse the account for the funds used for the 9th and I shelters. Resolution approving appropriation transfers needed.)

ACTION: Res. 77-1207 adopted approving transfer. (Finance to handle)

MISCELLANEOUS

34. Legislation

none

35. Appointments

ACTION: Res. 77-1208 adopted (Kullijian/Lang, unan., Dunlap absent) appointing Councilmember Dunlap to the Public Projects Committee, replacing Councilmember Siefkin who resigned from the Committee.

Res. 77-1209 adopted (Lang/Kullijian, unan., Dunlap absent) apppinting Carolyn French to the Youth Commission replacing Gordon Boone. (Clerk to handle)

36. Matters too late for the agenda

none

Adjourned at 10:20 P.M.

ATTEST: Norrine Colye
NORRINE COLYE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 21, 1977 AT 4:00 P.M.

Roll Call Present: Councilmembers Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: Councilmember Dunlap

Pledge of Allegiance to the Flag.
Invocation by Reverend Arthur Brohm, Grace Lutheran Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 13, 14, 15, 17, 18, 19, 20, 21, 22, 23, 26, 28, 29
Item 27 dropped from agenda
Item 16 removed from consent
Lang/Siefkin, unan. - Dunlap, 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 meetings of November 7 and November 14, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Letter from Stephen Abernathy, Chairman of the Old Town Modesto Merchants Association, requesting permission to place popcorn wagon on the sidewalk on Sunday, November 27, 1977 from 11:00 A.M. to 5:00 P.M.
(Motion approving needed)

ACTION: By motion, request approved.

BIDS

CONSENT
3. Consider approval of specifications and authorizing call for bids to be opened December 20, 1977 at 2:30 P.M. for furnishing 3 putting green mowers.
(Equipment will serve as replecements for like items currently on hand within the Service Division Pool and on dispatch to the Parks Department. Resolution authorizing call for bids needed. Estimated Cost: $12,960.00; funds are budgeted.)

ACTION: Res. 77-1210 adopted approving plans, specifications and bid call. (Finance to handle)

CONSENT
4. Approve plans and specifications and call for bids for the installation of additional aerators at the oxidation ponds.
(Suggested bid opening date: December 22, 1977 at 2:00 P.M. The State has approved the plans and specifications for additional aerators at the oxidation ponds and authorized the City to advertise for and open bids on the project. The estimated project cost is $1,300,000 of which 87½%

CONSENT

4. Approve plans, specs, etc. - aerators at oxidation ponds, continued. will be funded by Federal and State grants. The project is the initial phase of planned improvements described in the Project Report presented to Council last fall. The final E.I.R. on the project was also reviewed by the City Council last fall. The EPA has issued a Negative Declaration for this portion of the improvements described in the Project Report. Resolution approving plans and specifications and call for bids needed. Funds are budgeted)

ACTION: Res. 77-1211 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

5. Consider waiving formal bid procedure and authorize the purchase of 4 motorcycles from the California Department of General Services Cooperative Purchasing Division for the total price of $9,801.49. (Memo with agenda. Resolution waiving formal bid procedure and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 77-1212 adopted waiving formal bid procedure and authorizing purchase. (Finance to handle)

CONSENT

6. Consider award of contract for construction of waterline extension in Kansas Avenue from Franklin Street to Barium Road. (Bids were opened November 8, 1977. The low bid of $24,469.75, submitted by Cornish Construction, is 5% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. This project is being paid by FMC Corporation. Payment has been received. Resolution accepting bid and awarding contract to Cornish Construction needed; funds are budgeted.)

ACTION: Res. 77-1213 adopted awarding contract to Cornish Construction. (P/W to handle)

HEARINGS

7. Hearing - Orangeburg-Fransen Addition annexation to City of Modesto. 4:00 P.M.

ACTION: Res. 77-1214 adopted (Lang/Elliott, unan. - Dunlap, absent) declaring majority protest not made. (Clerk to handle)

By motion (Lang/Elliott, unan. - Dunlap, absent) Ord. No. 1680-C.S. adopted annexing area. (Clerk to handle)

Res. 77-1215 adopted (Lang/Elliott, unan. - Dunlap, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

8. Hearing on amendment to Sec. 16-3-9 of the Zoning Map to rezone from R-1 to R-2, property located at the southeast corner of Norwegian and Sunrise Avenues. (Sierra Vista Congregation of Jehovah's Witnesses) 4:05 P.M.

ACTION: By motion (Elliott/Siefkin, unan. - Dunlap, absent) Ord. No. 1681-C.S introduced rezoning area. (Clerk to handle)

Res. 77-1216 adopted (Elliott/Siefkin, unan. - Dunlap, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

9. Hearing on amendment to Sec. 26-3-9 of the Zoning Map to rezone from C-2 to P-D, property located on the north side of Yosemite Boulevard about 400 feet west of North Riverside Drive to allow a bread sales and distribution establishment. (Grant Construction Co.) 4:10 P.M.

ACTION: By motion (Lang/Mensinger, unan. - Dunlap, absent) Ord. No. 1682-C.S introduced rezoning area. (Clerk to handle)

Res. 77-1217 adopted (Lang/Mensinger, unan. - Dunlap, absent) approving development plan P-D(174). (Planning to handle)

Res. 77-1218 adopted (Lang/Mensinger, unan. - Dunlap, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

10. Hearing on amendment to Municipal Code and Standard Specifications pertaining to the width of collector streets at their intersection with major streets. 4:15 P.M.

ACTION: By motion (Elliott/Lang, unan. - Dunlap, absent) this matter referred to staff for further study. (Planning to handle)

11. Hearing on amendment to the Conflict of Interest Codes of the Public Works and Finance Departments of the City of Modesto. 4:20 P.M.

unan.

ACTION: Res. 77-1219 adopted (Lang/Mensinger/ - Dunlap, absent) amending Public Works Department Code. (Clerk to handle)

Res. 77-1220 adopted (Lang/Mensinger, unan. - Dunlap, absent) amending Finance Department Code. (Clerk to handle)

12. Hearing on substitution of masonry contractor for the addition to Fire Station No. 1. 4:25 P.M.

ACTION: Res. 77-1221 adopted (Lang/Siefkin, unan. - Dunlap, absent) approving substitution of masonry contractor. (P/W to handle)

13. Matters for the good of the community. 4:30 P.M.
(These may be presented by interested persons in the audience)

ACTION: Dennis Wilson discussed letter from the Downtown Improvement District regarding bus transfer point and shelters.
By motion (Mensinger/Lang, unan. - Dunlap, absent) letter referred to Council Transportation Committee. (C/Mgr to handle)

ORDINANCES

CONSENT

13. Final adoption of the followint ordinances:
(Motions adopting needed)

(a) Ord. No. 1665-C.S. - rezoning property on Timothy and Judith from R-1 to P-O. (Ernest Angelos)

ACTION: By motion, Ord. No. 1665-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1667-C.S. - adding provision for temporary parking lots downtown to the zoning regulations of the Modesto Municipal Code.

ACTION: By motion, Ord. No. 1667-C.S. adopted. (Clerk to handle)

CONSENT

13. Final adoption of the following ordinances, continued:

(c) Ord. No. 1669-C.S. - amending the Modesto Municipal Code relating to subdivision regulations.

ACTION: By motion, Ord. No. 1669-C.S. adopted. (Clerk to handle)

(d) Ord. No. 1670-C.S. - amending the Modesto Municipal Code relating to traffic regulations.

ACTION: By motion, Ord. No. 1670-C.S. adopted. (Clerk to handle)

(e) Ord. No. 1671-C.S. - amending the Modesto Municipal Code relating to traffic regulations.

ACTION: By motion, Ord. No. 1671-C.S. adopted. (Clerk to handle)

(f) Ord. No. 1672-C.S. - admending the Modesto Municipal Code relating to parking meters.

ACTION: By motion, Ord. No. 1672-C.S. adopted. (Clerk to handle)

(g) Ord. No. 1673-C.S. - amending the Modesto Municipal Code relating to off-street parking facilities.

ACTION: By motion, Ord. No. 1673-C.S. adopted. (Clerk to handle)

(h) Ord. No. 1674-C.S. - amending the parking meter zoning map.

ACTION: By motion, Ord. No. 1674-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

14. Consider request to amend Sec. 3-2.1509 of the Municipal Code to allow for a $2.00 rather than the present $1.00 penalty for a "Meter Red" parking violation.
(Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 1683-C.S. introduced amending Sec. 3-2.1509 of the Modesto Municipal Code relating to parking violation. (Clerk to handle)

CONSENT

15. Consider rescheduling hearing regarding annexation of Sutter-Colorado Addition.
(Memo with agenda. Resolution rescinding Res. 77-1151 and resolution setting hearing on December 12, 1977 at 7:30 P.M. needed.)

ACTION: Res. 77-1222 adopted rescinding Res. 77-1151. (Clerk to handle)

Res. 77-1223 adopted setting hearing. (Clerk to handle)

16. Consider abandonment of a 60-foot road reservation and a 10-foot public utility easement in Block 2815 of the City of Modesto.
(Memo with agenda. Resolution vacating and abandoning 60-foot road reservation and 10-foot public utility easement in Block 2815 needed)

ACTION: Res. 1362-S.P. adopted (Siefkin/Lang, unan. - Dunlap and Mensinger, absent) vacating and abandoning 60-foot road reservation and 10-foot public utility easement in Block 2815. (P/W to handle)
consideration of
(Councilmember Mensinger was excused from/the above item due to a conflict of interest)

CONSENT

17. Consider a resolution revising the Position Classification Plan for the City of Modesto. Consider a resolution amending Exhibit "F" of Resolution entitled "A Resolution Establishing Salary Schedules and Fixing Compensation for Positions in the City Service." Consider a resolution approving an appropriation transfer.
(Memo with agenda. Adoption of 3 resolutions needed. Estimated cost: $290.00; funds are budgeted.)

ACTION: Res. 77-1224 adopted revising Position Classification Plan. (Mgmt Services to handle)

Res. 77-1225 adopted amending Exhibit "F" of Resolution entitled "A Resolution Establishing Salary Schedules and Fixing Compensation for Positions in the City Service." (Mgmt. Services to handle)

Res. 77-1226 adopted approving appropriation transfer of $290.00 from Account 60-800-101 to 110-110-101. (Finance to handle)

CONSENT

18. Consider request for sewer service to property at 541 N. Emerald Avenue, located on the west side of Emerald Avenue between Kansas Avenue and Elm Avenue. Owners: J. D. Huggins and Donna L. Huggins.
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City, and a line does not exist to serve it. The property owner agrees to construct the sewer lateral at his own expense. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 77-1227 adopted approving agreement. (Clerk to handle)

CONSENT

19. Requirement for construction of curbs and/or sidewalks at the following locations: (77/01/09 - 77/07/07)
(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 December 12, 1977 at 7:40 P.M. for hearings needed.)

(a) Curb and sidewalk at 322 W. Granger Ave., a portion of Block 6130. (Michael Favero)

(b) Sidewalk at 151 Norwegian Ave., Lot 15 of Block 6901. (Frances M. Blevins)

(c) Sidewalk at 153 Norwegian Ave., Lot 16 of Block 6901. (Albert R. Nish, Jr.)

(d) Sidewalk at 161 Norwegian Ave., Lot 18 of Block 6901. (Andrew I. Moe)

(e) Sidewalk at 157 Norwegian Ave., Lot 17 of Block 6901. (L. W. Carmichael)

(f) Sidewalk at 306 W. Granger, a portion of Block 6130. (Mary Martino)

(g) Sidewalk at 1314 Coffee Road, a portion of Block 1159. (Louis G. McArthur)

(h) Curb and sidewalk at 1204 Floyd Ave., a portion of Block 12930. (Clifford E. Ingram)

(i) Curb and sidewalk at 1216 Floyd Ave., a portion of Block 12930. (William R. Merritt, Jr.)

CONSENT
19. Requirement for construction of curbs and/or sidewalks, continued.

(j) Curb and sidewalk at 1208 Floyd Ave., a portion of Block 12930. (William R. Merritt, Jr.)

(k) Sidewalk along Norwegian Ave. at 1911 Toyon Ave., a portion of Block 6900. (Methodist Central Church of Modesto)

(l) Sidewalk along Norwegian Ave. at 1905 Valle Vista Ave., a portion of Block 6905. (Jesse B. Pinedo)

ACTION: Res. 77-1228 adopted setting hearings. (Clerk to handle)

CONSENT
20. Consider agreement with August E. Sommerfeld, Jr., and Frances D. Sommerfeld for the rental of their former property at 2955 Lincoln Avenue.
(Memo with agenda. The Sommerfelds have offered to pay a rental of $350/month for two months. Expiration date 12-27-77. Resolution approving agreement with Sommerfelds needed.)

ACTION: Res. 77-1229 adopted approving agreement. (P/W to handle)

CONSENT
21. Consider agreement with George Stavrakakis and Caliopi Stavrakakis for the purchase of 0.053± acres of right of way needed for the Standiford, Lateral 7 to Tully project.
(Memo with agenda. The Stavrakakis have agreed to sell the required right of way for the appraised value of $4,500. Also, they have asked for a three-year sidewalk deferment. Resolution accepting property and approving agreement needed. Funds are budgeted.)

ACTION: Res. 77-1230 adopted approving agreement. (P/W to handle)

CONSENT
22. Consider agreement with J. B. Gilbert & Associates to prepare a supplemental draft environmental impact report dealing with the disposal of effluent from City's Wastewater Treatment Facilities through irrigation.
(Memo with agenda. Resolution approving agreement needed. Estimated Cost: $22,000; funds are budgeted.)

ACTION: Res. 77-1231 adopted approving agreement. (P/W to handle)

CONSENT
23. Tuolumne River Regional Park appraisals.
(Authorization is requested to obtain appraisals for property included in the Tuolumne River Regional Park Master Plan area, as requested by the Tuolumne River Regional Park Committee. Memo with agenda. Resolution approving an agreement with A. Dirk Hoek for appraisal of 4 parcels and motion authorizing staff to obtain appraisal services as needed by purchase order needed. Est. Costs $4,250; funds are budgeted.)

ACTION: Res. 77-1232 adopted approving agreement. (P/W to handle)

By motion, staff authorized to obtain appraisal services as needed by purchase order . (P/W to handle)

REPORTS

24. Report on proposed new golf fees.
(In July, staff proposed a new set of golf fees which the Council referred back to the staff for some alternatives that would implement the fees over a three or a five year period. The new proposal is now ready for Council consideration. Report with agenda. Resolution establishing new fees schedule needed.)

ACTION: Res. 77-1233 adopted (Lang/Elliott, unan. - Dunlap, absent) Plan "B" approved. (P & R to handle)

By motion (Mensinger/Siefkin, unan. - Dunlap, absent) staff requested to keep and develop data on non-resident use of the golf courses and bring back a recommendation in the next year. (P & R to handle)

25. Presentation of Preliminary Urban Trail Plan by Imai, Wang and Associates of Sacramento.
(Oral report will be made at meeting. Motion referring proposed plan to Planning Commission needed.)

ACTION: By motion (Kullijian/Mensinger, unan. - Dunlap, absent) Plan referred to Planning Commission. (Planning to handle)

CONSENT
26. Report on new pay rate for adult basketball and softball officials.
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

APPROPRIATION TRANSFERS

27. Consider appropriation transfer of $1,700 from General Fund General Reserve to provide funds for preparing a new index and tables of contents for the Modesto Municipal Code.
(Memo with agenda. Resolution approving appropriation transfer needed. Estimated Cost: $1,700.)

DROPPED FROM AGENDA

CONSENT
28. Consider appropriation transfer from General Reserve for expenses in connection with appeal of Robert Gray v City of Modesto, et al.
(This appropriation transfer is necessary to provide funds to pay the costs of appeal (printing of briefs, preparation of transcripts and filing fees) for this case. Memo with agenda. Resolution approving appropriation transfer needed. Estimated Cost: $930.00.)

ACTION: Res. 77-1234 adopted approving appropriation transfer of $930.00 from Account 60-800-101 to 234-650-101. (Finance to handle)

CONSENT
29. Consider transfer of $15,000.00 from General Reserve Account to Christmas Decoration Account.
(Funds needed to install new outdoor electrical hook-ups for new pole mounted Christmas Decorations. Costs include electrical wiring, support cables and labor for installation and removal of decorations. Resolution authorizing transfer of funds from General Reserve to Christmas Decorations Account needed. Estimated Cost: $15,000.00)

ACTION: Res. 77-1235 adopted approving appropriation transfer of $15,000 from Account 60-800-218 to Account 5398-060-218. (Finance to handle)

MISCELLANEOUS

30. Legislation.

None

31. Appointments.

ACTION: Res. 77-1236 adopted (Kullijian/Lang, unan. - Dunlap, absent) appointing Glen Smith to Users Committee No. 2 for a term expiring 10-23-81. (Clerk to handle)

32. Matters too late for the agenda.

(a) Petitions re Woodland area annexations.

ACTION: By motion (Lang/Kullijian, unan. - Dunlap, absent) General Plan and the pending annexations be supported.

Adjourned at 5:45 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 28, 1977 AT 7:30 P.M.

Roll Call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None

Pledge of Allegiance to the Flag
Invocation by Reverend Rollin Keller, Orthodox Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3 4, 4A, 13, 14, 15, 17, 18, 19, 21, 22, 23, 24, 25, 26
Dunlap/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 November 21, 1977 meeting.
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Letter from Modesto City Schools appealing a Board of Zoning Adjustment decision regarding request for a Conditional Use Permit for an Agricultural Laboratory Facility on Davis High School Campus.
(Resolution setting hearing on January 23, 1978 at 7:30 P.M. needed)

ACTION: Res. 77-1237 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT
3. Consider award of contract for construction of waterlines in Carpenter Manor and Randy Park Subdivisions.
(Bids were opened November 22, 1977. The low bid of $18,781.00, submitted by American Engineers is 9% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution accepting bid and awarding contract to American Engineers needed. Funds are budgeted.)

ACTION: Res. 77-1238 adopted awarding contract to American Engineers.
(P/W to handle)

CONSENT
4. Consider waiver of formal bid by 5 affirmative votes and authorize the purchase of one compound water meter from Hersey Products, Inc. for the total price of $4,440.00.
(Memo with agenda. Resolution waiving formal bids and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 77-1239 adopted waiving formal bid and authorizing purchase.
(Finance to handle)

CONSENT

4A. Consider acceptance of George Reed's contract for construction of improvements on Beyer Park Dr., Forrest Glenn Dr. and Sylvan Meadows Dr. at Beyer Park and improvements on Niabell Pl. at Sylvan Park. (Original Contract: $44,678.45) (All work on this project has been completed to the satisfaction of the Public Works Dept. Therefore, it would be in order to accept the work as complete and to file Notice of Completion. Resolution accepting work as complete needed. Final Cost: $45,323.54; funds are budgeted

ACTION: Res. 77-1240 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

5. Hearing on amendment to Sec. 21 -3-9 of the Zoning Map to rezone from R-1 to P-D to allow construction of a 36-dwelling multiple-family residential complex, property located at the southwest corner of East Granger and Sunrise. (Rodney Johnson) 7:30 P.M.

ACTION: By motion (Dunlap/Mensinger, unan.) Ord. No. 1684-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-1241 adopted (Dunlap/Mensinger, unan.) approving develop-plan P-D(175). (Planning to handle)

Res. 77-1242 adopted (Dunlap/Mensinger, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

6. Informal hearing - street closures west of McHenry Avenue. 7:40 P.M.

ACTION: By motion (Lang/Kullijian, unan.) staff recommendation to close streets on the west side of McHenry Ave. north of Needham through Achor Court, except for West Morris, on Friday and Saturday nights approved, and staff to explore ways to solve the problem. (Police/P & T to handle)

7. Hearing on appeal by W. A. Johnston to Board of Zoning Adjustment decision regarding building on a substandard lot on Harvard and Columbia Way. 7:45 P.M.

ACTION: Res. 77-1243 adopted (Elliott/Lang, maj. - Kullijian, Mensinger and Siefkin, no) sustaining action of the Board of Zoning Adjustment. (Planning to handle)

8. Hearing on amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 to P-O, property located on Water Street and Coolidge Avenue. (John and Marcella Hanson) 7:50 P.M.

ACTION: By motion (Lang/Elliott, unan.) Ord. No. 1685-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-1244 adopted (Lang/Elliott, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

9. Hearing on amendment to Section 21-3-9 of the Zoning Map to rezone from R-1 to R-2, property located on E. Orangeburg east of Sunrise Avenue. (Angelo K. Pierini) 7:55 P.M.

ACTION: By motion (Siefkin/Elliott, unan.) Ord. No. 1686-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-1245 adopted (Siefkin/Elliott, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

10. Matters for the good of the community. 8:00 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

11. Final adoption of Ord. No. 1676-C.S., amending Sec. 30-3-9 of the Zoning Map to rezone from R-1 to P-D(173) property located on Carpenter Road and Elm Avenue. (Horn Construction)
(Motion adopting needed.)

ACTION: (Councilmember Mensinger was excused from consideration of this item due to a conflict of interest)

By motion (Kullijian/Lang, unan. - Mensinger, absent) Ord. No. 1676-C.S. adopted. (Clerk to handle)

12. Final adoption of Ord. No. 1678-C.S., amending Sec. 28-3-9 of the Zoning Map to rezone from R-3 to P-O, property located on Downey Avenue.
(Norman Winsor)
(Motion adopting needed)

ACTION: By motion (Lang/Kullijian, maj. - Siefkin, no) Ord. No. 1678-C.S. adopted. (Clerk to handle)

CONSENT
13. Final adoption of Ord. No. 1666-C.S., amending Sec. 22-3-9 of the Zoning Map to rezone from R-1 to P-O, property located on Coffee Road and Coolidge Avenue. (John and Marcella Hanson)
(Motion adopting needed.)

ACTION: By motion, Ord. No. 1666-C.S. adopted. (Clerk to handle)

CONSENT
14. Final adoption of Ord. No. 1677-C.S., amending Sec. 23-3-9 of the Zoning Map to rezone from P-D(22) to C-1, property located on Oakdale Road. (Planning Commission initiated)
(Motion adopting needed.)

ACTION: By motion, Ord. No. 1677-C.S. adopted. (Clerk to handle)

CONSENT
15. Consider adoption of four ordinances amending the Municipal Code to provide that violation of specified provisions of the Code are infractions instead of misdemeanors.
(Memo with agenda. Introduction of four ordinances needed.)

ACTION: By motion, Ord. No. 1687-C.S. introduced amending Modesto Municipal Code relating to Penalty Provisions. (Clerk to handle)

CONSENT

15. Consider adoption of four ordinances amending the Municipal Code, continued.

ACTION: By motion, Ord. No. 1688-C.S. introduced amending Chapter 2 of Title I of the Modesto Municipal Code relating to Penalty Provisions. (Clerk to handle)

By motion, Ord. No. 1689-C.S. introduced amending Chapter 5 of Title V of the Modesto Municipal Code relating to Penalty Provisions. (Clerk to handle)

By motion, Ord. No. 1690-C.S. introduced amending Chapter 1 of Title IV of the Modesto Municipal Code relating to Penalty Provisions. (Clerk to handle)

NEW BUSINESS

16. Request by Citizens Housing and Community Development Committee for elimination of the economic disclosure requirement for members of the Housing Maintenance and Counseling Subcommittee and the Rehabilitation Loan Pool Subcommittee.

ACTION: Res. 77-1246 adopted (Kullijian/Lang, unan.) setting hearing on December 12, 1977 at 7:50 P.M. (Clerk to handle)

CONSENT

17. Consider adoption of resolution authorizing the City of Modesto to sponsor a grant application to Region K, Office of Criminal Justice Planning from the Stanislaus Women's Refuge Center Committee. (Memo from Police Chief and letter from American Association of University Women with agenda. Adoption of resolution needed.)

ACTION: Res. 77-1247 adopted authorizing a grant application for a Women's Refuge Center. (Police to handle)

CONSENT

18. Setting of public hearing to consider six month extension of .50¢ rate increase granted to Cablecom General for the period March 1, 1977 through December 31, 1977.
(Report with agenda. Resolution setting public hearing on December 19, 1977 at 4:00 P.M. needed.)

ACTION: Res. 77-1248 adopted setting hearing. (Clerk to handle)

CONSENT

19. Consider approval of Citizens Housing and Community Development Committee recommendation regarding expiring contract with Self-Help Enterprises for period December 1, 1977 - November 30, 1978.
(Copy of contract and memo with agenda. Resolution approving agreement and resolution approving appropriation transfer needed; funds are budgeted.)

ACTION: Res. 77-1249 adopted approving agreement. (Planning to handle)

Res. 77-1250 adopted approving appropriation transfer of $85,000 from Account 60-00-800-224 to Account 235-04-185-224. (Finance to handle)

20. Consider request of Citizens Housing and Community Development Committee for clarification of policy regarding Housing Maintenance Program assistance to nonresidential structures.
(Memo with agenda. Motion reaffirming present policy or resolution amending existing policy needed.)

ACTION: By motion (Siefkin/Kullijian, unan.) staff directed to further explore the possibility of expanding the program to non-residential, non-profit organizations' buildings and how it would affect the

Continued from page 4
financing of the program. (Planning to handle)

CONSENT
21. Consider adjustments in charges for garbage service.
(Staff has completed its annual review of garbage operations and is recommending the following adjustment in garbage service charges:

Residential (Cans) - 10% Increase - $2.00 to $2.20/monthly
Commercial (Bins) - 6% Reductions - $6.00 to $5.65/Cubic Yard
Drop Box Containers- 10% Increase - $28.60 to $31.50/Pickup

It is recommended the Council set a date and time for a public hearing on December 12, 1977 at 7:45 P.M. needed.)

ACTION: Res. 77-1251 adopted setting hearing. (P/W to handle)

CONSENT
22. Adoption of "Columbia Lane" as the official name for the north-south alley in Block 800.
(A developable parcel of land fronts on this alley and it is desirable that a name be adopted to allow an appropriate address to be assigned. One street name sign would be required at a City cost of approximately $35.00. Resolution naming alley and authorizing installation of street name sign by Parking and Traffic Department needed. Estimated Cost: $35.00; funds are budgeted.)

ACTION: Res. 77-1252 adopted naming the alley in Block 800 in the City of Modesto Columbia Lane. (Parking and Traffic to handle)

REPORTS

CONSENT
23. Recommend to Council an amendment to Section 7-3-9 of the Zoning Map - Norman Winsor.
(On November 15, 1977, the Planning Commission adopted Res. 77-205 recommending to the Council an amendment to Section 7-3-9 of the Zoning Map to rezone from R-1 to R-2 and P-D to permit construction of a neighborhood shopping center, property located at the northeast corner of Standiford and Prescott Road. Resolution setting public hearing on Tuesday, December 27, 1977 at 7:30 P.M. needed.)

ACTION: Res. 77-1253 adopted setting hearing. (Clerk to handle)

CONSENT
24. Recommend to Council an amendment to Section 21-3-9 of the Zoning Map - Paul M. Zagaris.
(On November 15, 1977, the Planning Commission adopted Resolution 77-203 recommending to the Council an amendment to Section 21-3-9 of the Zoning Map to rezone from R-1 to P-O, property located at the southwest corner of E. Orangeburg Avenue and Allen Drive. Resolution setting public hearing on Tuesday, December 27, 1977 at 7:35 P.M. needed.)

ACTION: Res. 77-1254 adopted setting hearing. (Clerk to handle)

CONSENT
25. Recommend to Council an amendment to Section 22-3-9 of the Zoning Map - Marion L. and Helen Rampley.
(On November 15, 1977, the Planning Commission adopted Res. 77-204 recommending to the Council an amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 to P-O, property located on the east side of Coffee Road north of Coolidge Avenue. Resolution setting public hearing on December 27, 1977 at 7:40 P.M. needed.)

ACTION: Res. 77-1255 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

26. Appropriation transfer in the amount of $4,000.00 for two bus shelters to be placed in the Downtown Improvement District Area. (Resolution needed to approve appropriation transfer from General Reserve Account 60-800-218 to Bus Shelters Account 5308-060-218 in the amount of $4,000.00 for the purchase of two bus shelters.)

ACTION: Res. 77-1256 adopted approving appropriation transfer of $4,000 from Account 60-800-218 to Account 5308-060-218. (Finance to handle)

MISCELLANEOUS

27. Legislation.

NONE

28. Appointments.

ACTION: Res. 77-1257 adopted (Dunlap/Elliott, unan.) appointing Council Downtown Renaissance Committee, Councilmember Mensinger, Chairperson, with Councilmembers Lang and Siefkin. (Clerk to handle)

29. Matters too late for the agenda.

NONE

30. Executive session to discuss property acquisition.

Adjourned to executive session at 10:10 P.M. and then to Wednesday, November 30, 1977 at 7:30 P.M. in the Council Chambers for a meeting with Community Center Citizens Committee.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Meeting
November 30, 1977
7:30 P.M.

The Council of the City of Modesto met pursuant to adjournment at 7:30 P.M. in the Council Chambers, City Hall, 801 - 11th Street, Modesto, California, to discuss the proposed Community Center.

Present: Councilmembers Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies

Absent: Councilmember Dunlap

Robert A. Shoettler, Consultant, presented a report on the feasibility study he had done on the proposed Community Center and answered questions from the Council and audience.

The meeting adjourned at 9:00 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 5, 1977, TO BE ADJOURNED TO THURSDAY, DECEMBER 8, 1977, AT 4:00 P.M.

Roll Call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Siefkin, Mayor Davies
Absent: None

Pledge of Allegiance to the Flag.
Invocation by Reverend Lawrence Duncan, First Baptist Church

Typographical and clerical corrections made to item 11f, Ord. No. 1687-C.S., and item 11h, Ord. No. 1689-C.S.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 14, 15, 16, 17, 18
Item 13 removed from consent
Lang/Mensinger, 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 meeting of November 28, 1977, and the adjourned regular meeting of November 30, 1977.
(Motion approving needed.)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT
2. Letter from Downtown Improvement District Advisory Board requesting prohibition of parking on streets in the downtown area between 2:00 A.M. and 6:00 A.M. to make it possible to do a better job of street sweeping.
(Motion referring to staff needed)

ACTION: By motion, request referred to staff for report. (P & T and Police to handle)

BIDS

CONSENT
3. Consider approval of specifications and authorize call for bids to be opened December 27, 1977, at 2:00 P.M. for furnishing four police motorcycle radios.
(Radios will be mounted on the four new motorcycles purchased by the City through the California Department of General Services, Co-operative Purchasing Division. Funds for the equipment are available through a grant with the State of California Office of Traffic Safety; the equipment shall provide for the expansion of the Modesto Police Department's Traffic Enforcement Unit. Resolution authorizing call for bids needed. Estimated Cost: $8,600.00; funds are budgeted.)

ACTION: Res. 77-1258 adopted approving specifications and bid call. (Finance to handle)

CONSENT
4. Approve plans and specifications and call for bids for street improvements, Housing Target Area Stage 2.
(Bid opening: December 20, 1977 at 11:00 A.M. This project is needed to bring the street surfacing up to match the existing curb and gutter in the Housing Target Area Stage 2. Due to an administrative oversight, the Notices to Contractors were not mailed out; therefore, we must readvertise for bids. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $44,140 (Contract $38,383; Engr. & Contg. $5,757); funds are budgeted.)

ACTION: Res. 77-1259 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
5. Consider waiving formal bid procedures by 5 affirmative votes and authorizing the purchase of one used articulated pneumatic roller from Western Traction Company for the total price of $21,836.00.
(Memo with agenda. Resolution waiving bid and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 77-1260 adopted waiving formal bid procedure and authorizing purchase. (Finance to handle)

CONSENT
6. Consider acceptance of Western Pipeline's contract for the construction of waterlines in Grand Prix Estates, Hillsboro Park No. 1, and Springcreek No. 2. (Original - $102,000.00)
(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. Resolution accepting work as complete needed. Final Cost: $102,703.00; funds are budgeted.)

ACTION: Res. 77-1261 adopted accepting contract as complete. (Clerk to handle)

CONSENT
7. Consider acceptance of Mac's Backhoe Service contract for the construction of waterlines in College Terrace Estates. (Original - $43,302.75)
(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 Notice of Completion. Resolution accepting work as complete needed. Final Cost: $39,804.70; funds are budgeted.)

ACTION: Res. 77-1262 adopted accepting contract as complete. (Clerk to handle)

CONSENT
8. Consider accepting Industrial Electrical Company's contract for modification of the Dale Road/Vintage Faire driveway traffic signals. Final Contract: $12,348.
(Memo with agenda. All work to be done at this time has been satisfactorily completed. It is now in order to file a Notice of Completion. Resolution accepting project and authorizing City Clerk to file Notice of Completion needed. Funds are budgeted.)

ACTION: Res. 77-1263 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

9. Hearing - annexation of Standiford-Snyder Addition to Modesto Municipal Sewer District #1. 4:00 P.M.

ACTION: Res. 77-1264 adopted (Dunlap/Kullijian, unan.) annexing Standiford-Snyder Addition to Modesto Municipal Sewer District #1. (Clerk to handle)

10. Matters for the good of the community. 4:05 P.M.
(These may be presented by interested persons in the audience.)

NONE

ORDINANCES

CONSENT
11. Final adoption of the following:
(Motions adopting needed)

(a) Ord. No. 1681-C.S. - rezoning property on Sunrise and Norwegian Avenues from R-1 to R-2. (Sierra Vista Congregation of Jehovah's Witnesses)

ACTION: By motion, Ord. No. 1681-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1682-C.S. - rezoning property on Yosemite Boulevard west of North Riverside Drive from C-2 to P-D)174). (Grant Construction Co.)

ACTION: By motion, Ord. No. 1682-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1683-C.S. - amending the Modesto Municipal Code relating to parking meter violations.

ACTION: By motion, Ord. No. 1683-C.S. adopted. (Clerk to handle)

(d) Ord. No. 1685-C.S. - rezoning property on E. Coolidge and Water Streets from R-1 to P-O. (John and Marcella Hanson)

ACTION: By motion, Ord. No. 1685-C.S. adopted. (Clerk to handle)

(e) Ord. No. 1686-C.S. - rezoning property on Orangeburg Avenue east of Sutter School from R-1 to R-2. (Angelo Pierini)

ACTION: By motion, Ord. No. 1686-C.S. adopted. (Clerk to handle)

(f) Ord. No. 1687-C.S. - amending the Modesto Municipal Code relating to penalty provisions.

ACTION: By motion, Ord. No. 1687-C.S. adopted. (Clerk to handle)

(g) Ord. No. 1688-C.S. - amending the Modesto Municipal Code relating to pendalty provisions.

ACTION: By motion, Ord. No. 1688-C.S. adopted. (Clerk to handle)

(h) Ord. No. 1689-C.S. - amending the Modesto Municipal Code relating to penalty provisions.

ACTION: By motion, Ord. No. 1689-C.S. adopted. (Clerk to handle)

(i) Ord. No. 1690-C.S. - amending the Modesto Municipal Code relating to penalty provisions.

ACTION: By motion, Ord. No. 1690-C.S. adopted. (Clerk to handle)

CONSENT
12. Consider adoption of 1976 edition of Uniform Fire Code.
(Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 1691-C.S. introduced amending Chapter 1 of Title III of the Modesto Municipal Code relating to the Fire Code and Fire Districts of the City of Modesto. (Clerk to handle)

13. Introduction of ordinances to adopt 1976 editions of Uniform Building Code, Uniform Plumbing Code, Uniform Mechanical Code, Uniform Housing Code and Dangerous Buildings Code.
(Memos with agenda. Introduction of five ordinances needed.)

ACTION: By motion (Elliott/Dunlap, unan.) this item held over to the 12-12-77 meeting. (Clerk to handle)

NEW BUSINESS

CONSENT
14. Consider request for sewer service to property outside city limits at 2705 Olive Avenue, located on the north side of Olive Avenue between Beard Avenue and Riverside Drive. Owner: Galen Hedgecock.
(The property owner has signed an agreement to annex when requested to do so by the 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. 77-1265 adopted approving agreement. (Clerk to handle)

CONSENT
15. Consider agreement with County for crossing gates and lights at two Modesto and Empire Traction Railroad crossings.
(Memo with agenda. Federal funds are now available to pay 90% of the cost of gates and lights at the Santa Ana and Kerr crossings. The City share will be $2,281.25. Resolution approving agreement and authorizing the City Manager to execute it. Funds will be transferred.)

ACTION: Res. 77-1266 adopted approving agreement. (P & T to handle)

Res. 77-1266A adopted approving appropriation transfer of $2,281.25 from Account 6083-560-321 to Account 6434-560-321 ($757) and 6435-560-321 ($1,525). (Finance to handle)

CONSENT
16. Consider agreement with Head Rest, Inc., to rent office space in the Modesto Community Service Center.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 77-1267 adopted approving agreement. (P & R to handle)

CONSENT
17. Consider retaining special defense counsel for Dautrich, et al. vs. Board of Administration, et al.
(Memo with agenda. Resolution authorizing an agreement with the law firm of McDonough, Holland, Schwartz and Allen needed, and a resolution appropriating $1,500.00 from the General Reserve to the Miscellaneous Litigation account needed.)

ACTION: Res. 77-1268 adopted approving agreement. (C/Atty to handle)

Res. 77-1269 adopted approving appropriation transfer of $1,500.00 from Account 60-800-101 to Account 234-01-650-101. (Finance to handle)

CONSENT

18. Consider accepting donations to the City of Modesto from four Kiwanis Clubs of Greater Modesto, Turlock Kiwanis Club, Modesto Exchange Club and Stanislaus Civitan Club, to outfit a crime prevention trailer and appropriate the money in the Police Department budget. (Memo with agenda, Resolution accepting donations and adjusting budget needed. Estimated Cost: $800.00; funds to be budgeted.)

ACTION: Res. 77-1270 adopted amending 1977-78 final budget to appropriate an amount for additions to the trailer to be used as a Mobile Crime prevention display. (Finance to handle)

MISCELLANEOUS

19. Legislation.

NONE

20. Appointments.

ACTION: Res. 77-1271 adopted (Kullijian/Lang, unan.) amending Section "B" of Resolution No. 75-896, as previsously amended by Resolution No. 77-1096, regarding membership composition in the Housing and Community Development program committee and subcommittees. (Planning to handle)

Res. 77-1272 adopted (Siefkin/Mensinger, unan.) appointing Joe Byrne to Seat 6 of the Housing Maintenance and Counseling Subcommittee, Target Area #2, and Frank Salas, Jr. to Seat 4 of the Rehabilitation Loan Pool Subcommittee, Target Area #2, terms ending October 23, 1981. (Clerk to handle)

21. Matters too late for the agenda.

ACTION: Chief McKinsey extended an invitation to the City Council members to buy tickets to the 2nd Annual Bacon Bowl.

Adjourned at 4:15 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 12, 1977 AT 7:30 P.M.

Roll Call Present: Councilmembers Dunlap, Elliott, Lang, Mensinger, Mayor Davies
Absent: Councilmembers Kullijian, Siefkin

Pledge of Allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2A, 3, 6, 7, 8, 9, 17, 21, 22, 23, 25, 26, 27, 28, 29, 30, 32, 33, 35, 36
Items 4, 5, 20, 24 and 31 removed from consent
Dunlap/Lang, unan. - Kullijian and 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.)

COMMUNICATIONS

CONSENT
1. Request from Marion and Helen Rampley requesting continuance of the hearing concerning rezoning of their property on Coffee Road north of E. Coolidge Avenue, from December 27, 1977 at 7:40 P.M. to any time after January 3, 1978.
(Motion indicating intention to continue hearing to January 9, 1978 at 7:35 P.M. needed.)

ACTION: By motion, intention declared to continue hearing to January 9, 1978 at 7:35 P.M. (Clerk to handle)

2. Petition from residents of Allen Drive requesting that traffic which has been routed through their street during construction work on Orangeburg Avenue be routed to Fairmont Avenue, a wider street with stop signs.

ACTION: By motion (Lang/Elliott, unan. - Kullijian and Siefkin, absent) staff proposed by pass approved and Police Dept. requested to give more intensive patrol in the area. (P/W and Police to handle)

CONSENT
2A. Appeal by E. V. Darpinian to Dangerous Buildings Code Appeals Board decision ordering the installation of second exit from basement at 1111 "J" Street.
(Resolution setting hearing for January 9, 1978 at 7:40 P.M. needed.)

ACTION: Res. 77-1273 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT
3. Consider rejection of bids and authorize a new call for bids to be opened December 27, 1977 at 2:15 P.M. for furnishing microfilm equipment.
(Memo with agenda. Resolution rejecting bids and authorizing new call for bids needed. Estimated Cost: $4,000.00; funds are budgeted.)

ACTION: Res. 77-1274 adopted rejecting bids and authorizing new call for bids for furnishing microfilm equipment. (Finance to handle)

4. Consider approval of plans and specifications and call for bids for waterlines in McHenry Avenue from Meily Way and in proposed Coralwood Road; and waterlines in Penny Lane from Capistrano to Pirinen Lane. (Suggested bid opening: December 27, 1977 at 11:10 A.M. These lines will supply water to Mobileparks West Development on Coralwood Road and will increase fire flows for Capistrano School. If item 24 is not approved with the consent items, this item should also be removed from consent for consideration with item 24. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $60,810 ($55,510 Contract; $5,300 Engineering and Materials).

ACTION: Res. 77-1275 adopted (Elliott/Mensinger, unan. - Kullijian and Siefkin, absent) approving plans, specifications and bid call. (P/W to handle)

5. Consider approval of plans and specifications and call for bids for construction of waterlines in Colonial Commons No. 1. (Suggested bid opening: December 27, 1977 at 11:00 A.M. Costs and Revenue: Construction, $49,362; Connection Charges, $18,700; Net Revenue, $1,479. If item 24 is not approved with the consent items, this item should also be removed from consent for consideration with item 24. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $49,362 ($41,562, Contract; $7,800, Engineering and Materials).

ACTION: Res. 77-1276 adopted (Elliott/Mensinger, unan. - Kullijian, and Siefkin, absent) approving plans, specifications and bid call. (P/W to handle)

CONSENT

6. Consider adoption of the following resolutions regarding Improvement District No. 23, Street Lights on McHenry Avenue.
   (a) Resolution awarding contract to Modesto Industrial Electrical Co., Inc., whose bid is 2.79% below the Engineer's Estimate.

   (b) Resolution authorizing Superintendent of Streets to order certain changes to the work under Section 5236, Streets and Highways Code.

   (Adoption of two resolutions needed. Estimated Cost: $179,033, Contract. All cost of this district to be assessed to district. City does not make payments to contractor.)

ACTION: Res. 1363-S.P. adopted awarding contract to Modesto Industrial Electrical Co., Inc. (P/W to handle)

Res. 1364-S.P. adopted authorizing Superintendent of Streets to order certain changes. (P/W to handle)

CONSENT

7. Consider award of contract for construction of Conant Avenue from Hetch Hetchy R/W to Standiford Avenue. (Bids were opened November 29, 1977. The low bid, submitted by L. M. Roberts Construction Co., is 14.25% below the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to L. M. Roberts Construction Co. needed. Estimated Cost: $14,790.35 (Contract, $13,246.35; Engr. & Contgy., $1,544); funds are budgeted.)

ACTION: Res. 77-1277 adopted awarding contract to L. M. Roberts Construction Co.. (P/W to handle)

CONSENT

8. Consider award of contract for improvement of Evergreen Avenue from Angela Lane to Carver Road.
(Bids were opened November 29, 1977. The low bid, submitted by The Flintkote Company, is 5.79% above the Engineer's Estimate and is considered acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract to The Flintkote Company needed. Estimated Cost: $16,707.80 (Contract, $15,264.80; Engr. & Contgy., $1,443); funds are budgeted.)

ACTION: Res. 77-1278 adopted awarding contract to The Flintkote Co. (P/W to handle)

CONSENT

9. Consider award of contract for construction of site improvements of Pump Station B-9.
(Bids were opened on November 22, 1977. The low bid of $23,000, submitted by Chas. I. Cunningham Co., is 15% above the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. See memo with agenda. Resolution accepting bid and awarding contract to Chas. I. Cunningham Co. needed. Funds are budgeted.)

ACTION: Res. 77-1279 adopted awarding contract to Chas. I. Cunningham Co. (P/W to handle)

HEARINGS

10. Hearing - Sutter-Colorado Addition inhabited annexation. 7:30 P.M.

ACTION: By motion (Dunlap/Elliott, maj. - Mayor Davies, no - Kullijian and Siefkin, absent) staff directed to prepare the necessary papers to call for an election on March 7, 1978. (C/Atty and Planning to handle)

11. Hearing - Appeal by Wickland Oil Co. to Planning Commission decision re revised plot plan P-D(157), Dale and Standiford Avenue. 7:35 P.M.

ACTION: Res. 77-1280 adopted (Dunlap/Mensinger, maj. - Lang, no - Kullijian, Siefkin, absent) denying appeal. (Planning to handle)

12. Hearing on requirement for construction of sidewalk, curb and/or gutter at the following locations: 7:40 P.M.
(Project No. 77/01/09 - 77/07/07)

(a) Curb and sidewalk at 322 W. Granger Ave., a portion of Block 6130. (Michael Favero)

(b) Sidewalk at 151 Norwegian Ave., Lot 15 of Block 6901. (Frances M. Blevins)

(c) Sidewalk at 153 Norwegian Ave., Lot 16 of Block 6901. (Albert R. Nish, Jr.)

(d) Sidewalk at 161 Norwegian Ave., Lot 18 of Block 6901. (Andrew I. Moe)

(e) Sidewalk at 157 Norwegian Ave., Lot 17 of Block 6901. (L. W. Carmichael)

(f) Sidewalk at 306 W. Granger, a portion of Block 6130. (Mary Martino)

12. Hearing on requirement for construction of sidewalk, etc., continued. 7:40 P.M.

(g) Sidewalk at 1314 Coffee Road, a portion of Block 1159. (Louis G. McArthur)

By motion (Dunlap/Lang, unan. - Kullijian and Siefkin, absent) this item continued to December 19, 1977 at 4:05 P.M. (Clerk to handle)

(h) Curb and sidewalk at 1204 Floyd Ave., a portion of Block 12930. (Clifford E. Ingram)

(i) Curb and sidewalk at 1216 Floyd Ave., a portion of Block 12930. (William R. Merritt, Jr.)

(j) Curb and sidewalk at 1208 Floyd Ave., a portion of Block 12930. (William R. Merritt, Jr.)

(k) Sidewalk along Norwegian Ave. at 1911 Toyon Ave., a portion of Block 6900. (Methodist Central Church of Modesto)

(l) Sidewalk along Norwegian Ave. at 1905 Valle Vista Ave., a portion of Block 6905. (Jesse B. Pinedo)

ACTION: Res. 77-1281 adopted (Lang/Dunlap, unan. - Kullijian, and Siefkin, absent) ordering work done on all except item G. (P/W to handle)

13. Hearing re garbage service rate adjustments. 7:45 P.M.

ACTION: Res. 77-1282 (Lang/Mensinger, unan. - Kullijian and Siefkin, absent) adopting revised rates. (P/W to handle)

14. Hearing, Conflict of Interest Code requirements for the Housing Maintenance and Counseling Subcommittee and the Rehabilitation Loan Pool Subcommittee. 7:50 P.M.

ACTION: Res. 77-1283 adopted (Lang/Dunlap, unan. - Kullijian and Siefkin, absent) approving revised Conflict of Interest Codes retroactive to May 9, 1977, Housing Maintenance and Counseling Subcommittee. (Planning to handle)

Res. 77-1284 adopted (Lang/Dunlap, unan. - Kullijian and Siefkin, absent) approving revised Conflict of Interest Codes retroactive to May 9, 1977, Rehabilitation Loan Pool Subcommittee. (Planning to handle)

15. Matters for the good of the community. 7:55 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

16. Final adoption of Ord. No. 1679-C.S. rezoning property on Yosemite Blvd. from P-D(77) to P-O. (Allen Grant, Inc.)
(Motion adopting needed.)

ACTION: By motion (Lang/Elliott, unan. - Kullijian and Siefkin, absent) Ord. No. 1679-C.S. adopted. (Clerk to handle)

CONSENT

17. Final adoption of Ord. No. 1684-C.S. rezoning property at the corner of Sunrise and Granger from R-1 to P-D(175). (Rodney R. Johnson) (Motion adopting needed.)

ACTION: By motion, Ord. No. 1684-C.S. adopted. (Clerk to handle)

17A. Introduction of ordinances to adopt 1976 editions of (a) Uniform Building Code, (b) Uniform Plumbing Code, (c) Uniform Mechanical Code, (d) Uniform Housing Code, and (e) Dangerous Buildings Code. (Memos with agenda. Introduction of five ordinances needed. This item was carried over from the December 8, 1977 Council meeting at the request of the Downtown Modesto Association.)

ACTION: By motion (Dunlap/Elliott, unan. - Kullijian and Siefkin, absent) Ord. No. 1692-C.S. introduced relating to the 1976 edition of the Uniform Building Code. (Clerk to handle)

By motion (Dunlap/Elliott, unan. - Kullijian and Siefkin, absent) Ord. No. 1693-C.S. introduced relating to the 1976 edition of the Uniform Plumbing Code. (Clerk to handle)

By motion (Dunlap/Elliott, unan. - Kullijian and Siefkin, absent) Ord. No. 1694-C.S. introduced relating to the 1976 edition of the Mechanical Code. (Clerk to handle)

By motion (Dunlap/Elliott, unan. - Kullijian and Siefkin, absent) Ord. No. 1695-C.S. introduced relating to the 1976 edition of the Housing Code. (Clerk to handle)

By motion (Dunlap/Elliott, unan. - Kullijian and Siefkin, absent) Ord. No. 1696-C.S. introduced relating to the 1976 edition of The Dangerous Buildings Code. (Clerk to handle)

UNFINISHED BUSINESS

18. Request of Citizens Housing and Community Development Committee for clarification of policy regarding Housing Maintenance Program assistance to nonresidential structures.
(Report with agenda. Motion reaffirming present policy or resolution amending existing policy needed.)

ACTION: Res. 77-1285 adopted (Elliott/Lang, unan. - Kullijian and Siefkin, absent) amending policy. (Planning to handle)

By motion (Elliott/Lang, unan, - Kullijian and Siefkin, absent) new roof on Reverend Trammell's "Church" approved. (Planning to handle)

NEW BUSINESS

CONSENT

19. Consider agreement with Arnold C. Dickens and Helen J. Dickens for the lease of 6 acres of the former Riverside Park site, now part of Dry Creek Park site.
(This is a renewal of existing lease. Terms are for City to receive 10% of peach crop. City will now pay taxes, whereas before lessee was allowed credit for taxes when paying rental. Lease expires 10-31-78. Resolution approving agreement with Dickenses needed.)

ACTION: Res. 77-1286 adopted approving agreement. (P/W to handle)

20. County referral of Open Space Contract Application No. 78-3252, R. A. and Shirley Morrison, south side of Claribel Road, 1/4 mile west of Roselle Avenue, 2666 and 2754 Claribel Road.
(Memo with agenda. Resolution expressing recommendation of opposition needed.)

ACTION: (Councilmember Mensinger was excused from consideration of this item due to a conflict of interest)

Res. 77-1287 adopted (Lang/Elliott, unan. - Kullijian, Mensinger, and Siefkin, absent) opposing Application No. 78-3252 - R. A. and Shirley Morrison. (Planning to handle)

CONSENT
21. Consider acceptance of improvements in A & M Industrial Park No. 3 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: A & M Industries, Inc.)
(A & M Industrial Park No. 3 subdivision is located on the north side of Woodland Avenue, east of Carpenter Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 77-1288 adopted accepting improvements as complete. (Clerk to handle)

CONSENT
22. Consider acceptance of improvements in Hillsboro Park No. 1 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Irwin Steinpress)
(Hillsboro Park No. 1 subdivision is located at the north end of Rexford Drive. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 77-1289 adopted accepting improvements as complete. (Clerk to handle)

CONSENT
23. Consider request for water service to property outside city limits at 529 Kansas Avenue, located on the north side of Kansas Avenue between Franklin Street and Barium Road. Owners: Albert A. Silva and Dolores W. Silva.
(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 the water main must be extended to serve the property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 77-1290 adopted approving agreement. (Clerk to handle)

24. Consider an increase in water main connection and water service installation charges and consider appropriation transfers to waterline extension and new services accounts.
(Water main construction costs have increased resulting in a need to increase water main connection and water service installation charges. Funds included in the 1977-78 budget for waterline and water service construction have been spent and additional funds are needed for scheduled developments. Memo with agenda dated December 7, 1977. Motion introducing an ordinance adopting new water main connection and water service installation charges and two resolutions approving two appropriation transfers needed.)

ACTION: Res. 77-1291 adopted (Lang/Elliott, unan. - Kullijian and Siefkin, absent) approving appropriation transfer of $300,000 from Account 60-101 to 6804-500-101.
Res. 77-1292 adopted (Lang/Elliott, unan. - Kullijian and Siefkin, absent) approving appropriation transfer of $75,000 from Account 60-101 to 6301-500-101. (Finance to handle)

CONSENT
25. Consider withdrawing Carver-Sheldon Addition from the Woodland Fire District.
(This addition was annexed to the City of Modesto effective November 8, 1977. Resolution withdrawing Carver-Sheldon Addition from the Woodland Fire District needed.)

ACTION: Res. 77-1293 adopted withdrawing Carver-Sheldon Addition from Woodland Fire District. (Clerk to handle)

CONSENT
26. Consider determining that the public interest and convenience require that Carver-Sheldon Addition be annexed to the Modesto Municipal Sewer District No. 1.
(This addition was annexed to the City of Modesto effective November 8, 1977. Resolution setting February 6, 1978 at 4:00 P.M. for public hearing needed) (Five affirmative votes needed.)

ACTION: Res. 77-1294 adopted setting hearing. (Clerk to handle)

CONSENT
27. Consider withdrawing Oakdale-Sylvan No. 2 Addition from the Riverbank Fire District.
(This addition was annexed to the City of Modesto effective November 8, 1977. Resolution withdrawing Oakdale-Sylvan No. 2 Addition from the Riverbank Fire District needed.)

ACTION: Res. 77-1295 adopted withdrawing Oakdale-Sylvan No. 2 Addition from the Riverbank Fire District. (Clerk to handle)

CONSENT
28. Consider determining that the public interest and convenience require that Oakdale-Sylvan No. 2 Addition be annexed to the Modesto Municipal Sewer District No. 1.
(This addition was annexed to the City of Modesto effective November 8, 1977. Resolution setting February 6, 1978 at 4:05 P.M. for public hearing needed.) (Five affirmative votes needed.)

ACTION: Res. 77-1296 adopted setting hearing. (Clerk to handle)

CONSENT
29. Consider withdrawing Orangeburg-Claus Addition from the Empire Fire District.
(This addition was annexed to the City of Modesto effective November 8, 1977. Resolution withdrawing Orangeburg-Claus Addition from the Empire Fire District needed.)

ACTION: Res. 77-1297 adopted withdrawing Orangeburg-Claus Addition from the Empire Fire District. (Clerk to handle)

CONSENT
30. Consider determining that the public interest and convenience require that Orangeburg-Claus Addition be annexed to the Modesto Municipal Sewer District No. 1.
(This addition was annexed to the City of Modesto effective November 8, 1977. Resolution setting February 6, 1978 at 4:10 P.M. for public hearing needed.) (Five affirmative votes needed)

ACTION: Res. 77-1298 adopted setting hearing. (Clerk to handle)

31. Uninhabited annexation to the City of Modesto - Rosemore-Woodland No. 2 Addition.
(The LAF Commission has authorized this annexation without notice of public hearing. Resolution annexing needed; resolution certifying review of environmental impact needed.)

ACTION: Res. 77-1299 adopted (Lang/Dunlap, unan. - Kullijian and Siefkin, absent) approving annexation. (Clerk to handle)

Res. 77-1300 adopted (Lang/Dunlap, unan. - Kullijian and Siefkin, absent) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

CONSENT
32. Set date for public hearing - Annexation of uninhabited territory - Scenic-Oakdale Addition.
(Approved by LAFCO November 22, 1977. Resolution setting date of public hearing January 23, 1978 at 7:35 P.M. needed.)

ACTION: Res. 77-1301 adopted setting hearing. (Clerk to handle)

CONSENT
33. Set date for public hearing - Annexation of uninhabited territory - Yellowstone-Temperate Addition.
(Approved by LAFCO November 22, 1977. Resolution setting date of publi hearing January 23, 1978 at 7:40 P.M. needed.)

ACTION: Res. 77-1302 adopted setting hearing. (Clerk to handle)

REPORTS

34. Report on community center opinion poll.
(Report of Decision Research Institute on results of telephone poll. Motion acknowledging receipt of report needed.)

ACTION: By motion (Mensinger/Lang, unan. - Kullijian and Siefkin, absent) receipt of report acknowledged.

CONSENT
35. Presentation of Financial Statement for November, 1977.
(Copies of report will be presented at the meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

APPROPRIATION TRANSFERS

CONSENT
36. Consider appropriation transfer to pay consulting engineer for design of the Airport fly-in ramp proposed to be located within the Tuolumne River Regional Park.
(Memo with agenda. Resolution approving appropriation transfer needed. Estimated Cost: $4,356.)

ACTION: Res. 77-1303 adopted approving appropriation transfer of $4,356 from Account 60-321 to Account 6941-410- 321 (Finance to handle)

MISCELLANEOUS

37. Legislation.

NONE

38. Appointments.

NONE

39. Matters too late for the agenda.
(a) Advisory elections.

ACTION: State law concerning advisory elections was discussed. No action taken.

Adjourned at 11:25 P.M. to Friday, December 16, 1977 at 12:00 noon at the Big Yellow House, 3105 McHenry Avenue, Modesto, to discuss legislation with State Assemblyman Carmen Perino.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Meeting
December 16, 1977
12:00 noon

The Modesto City Council met pursuant to adjournment at 12:00 noon, December 16, 1977 at the Big Yellow House, 3105 McHenry Avenue, Modesto, California, with State Assemblyman Carmen Perino.

Present: Councilmembers Dunlap, Elliott, Lang, Mayor Davies
Absent: Councilmembers Kullijian, Mensinger, Siefkin

State legislation was discussed and the opinions of the City Council and staff were discussed with Assemblyman Perino.

The meeting adjourned at 2:00 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

CITY OF MODESTO
AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 19, 1977 AT 4:00 P.M.

Roll Call Present: Councilmembers Dunlap, Elliott, Kullijian, Lang, Mensinger, Mayor Davies
Absent: Councilmember Siefkin

Pledge of Allegiance to the Flag
Invocation by Reverend Ben Jennings, Prescott Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 14, 18, 19, 20, 21, 22, 24, 25
Items 15 and 23 removed from consent 16,
Dunlap/Lang, 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 adjourned regular meeting of December 8, 1977, and the regular meeting of December 12, 1977.
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT
2. Consider approval of plans and specifications and call for bids for construction of training pools at Coleman F. Brown Park and Chrysler Park.
(Suggested bid opening date: January 17, 1978 at 11:00 A.M. This construction will provide for training pools at Coleman F. Brown and Chrysler Park thereby continuing with the implementation of the master plans of both parks. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $78,000 (Constr. $74,100; Engr. $3,900); funds are budgeted.)

ACTION: Res. 77-1304 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT
3. Consider approval of specification and authorize call for bids to be opened January 17, 1978 at 2:00 P.M. for furnishing one street sweeper.
(Equipment will replace two used sweepers currently on hand within the Service Division Equipment Pool and assigned to the Garden Refuse Division. Present equipment has reached a state where it is not economically feasible to repair or maintain, and replacement parts are almost non-existent. Resolution authorizing call for bids needed. Estimated Cost: $42,670.00; funds are budgeted.)

ACTION: Res. 77-1305 adopted approving specifications and bid call. (Finance to handle)

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened January 17, 1978 at 2:15 P.M. for furnishing one trailer-mounted brush chipper.
(Equipment is required by the Public Works Service Division and will not replace any like equipment presently in service. Equipment will be dispatched to the Parks and Recreation Street Trees Division to handle clean up for low pruning crews. Resolution authorizing call for bids needed. Estimated Cost: $8,530; funds are budgeted.)

ACTION: Res. 77-1306 adopted approving specifications and bid call. (Finance to handle)

CONSENT

5. Consider calling for new bids on five buses.
(Memo with agenda. Specifications have been revised to seek bids again. Two manufacturers are interested in bidding. A federal grant will pay 80% of the cost. Resolution approving specifications and calling for bids at 2:00 P.M. on February 21, 1978 needed. Estimated Cost: $350,000 to $425,000. $261,000 is budgeted and additional funds will be requested after bids are opened and the exact amount is known.)

ACTION: Res. 77-1307 adopted approving revised specifications and call for bids. (P & T to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for expansion of airport terminal parking facilities.
(Suggested bid opening: January 3, 1978 at 11:10 A.M. This project will provide 35 additional stalls for parking at the Modesto City-County Airport Terminal Building. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $19,596 ($18,596, Contract; $1,000 Engr. & Mat'ls.); funds are budgeted.)

ACTION: Res. 77-1308 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for construction of waterlines in Beyerwood East No. 1.
(Suggested bid opening: January 3, 1978 at 11:00 A.M. Costs and Revenue: Construction $69,418, Connection Charges $19,360, Net Revenue $1,531. Resolution approving plans and specifications and call for bids needed. Estimated Cost: $69,418 ($60,868, Contract; $8,550, Engr. & Mat'ls.); funds are budgeted.)

ACTION: Res. 77-1309 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

8. Consider awarding contract for seven bus fare boxes.
(Memo with agenda. One bid was received from Keene Corporation for $13,356. It is recommended that they be awarded the contract. Resolution awarding contract to Keene Corporation needed. Estimated Cost: $13,356; funds are budgeted.)

ACTION: Res. 77-1310 adopted awarding contract to Keene Croporation. (P & T to handle)

CONSENT

9. Consider acceptance of George Reed, Inc. contract for the asphalt concrete resurfacing various City streets, 1977-78. (Original: $108,926)
(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: $111,224.86; funds are budgeted.)

ACTION: Res. 77-1311 adopted accepting contract as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of Collins Electrical Co., Inc. contract for Thousand Oaks Park lighting. (Original: $27,725)
(All work on this project has been completed to the satisfaction of the Parks & Recreation Department and the Public Works Department. Therefore, it would be in order to accept the work as complete. Resolution accepting work as complete needed. Final Cost: $29,202; funds are budgeted.)

ACTION: Res. 77-1312 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

11. Hearing, Cablecom General rates. 4:00 P.M.

ACTION: Res. 77-1313 adopted (Dunlap/Lang, unan. - Siefkin, absent) approving extension of rate increase. (Clerk to handle)

12. Continued hearing, requirement for construction of sidewalk at 1314 Coffee Road, a portion of Block 1159. (Louis G. McArthur) 4:05 P.M.

ACTION: By motion (Elliott/Kullijian, unan. - Siefkin, absent) this item held over to the next meeting when there are 7 councilmembers present. (Clerk to handle)

13. Matters for the good of the community. 4:10 P.M.
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

14. Final adoption of the following:
(Motions adopting needed)

(a) Ord. No. 1691-C.S. relating to 1976 Uniform Fire Code.

ACTION: By motion, Ord. No. 1691-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1692-C.S. relating to 1976 Uniform Building Code.

ACTION: By motion, Ord. No. 1692-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1693-C.S. relating to Uniform Plumbing Code.

ACTION: By motion, Ord. No. 1693-C.S. adopted. (Clerk to handle)

CONSENT

14. Final adoption of the following, continued:

(d) Ord. No. 1694-C.S. relating to 1976 Uniform Mechanical Code.

ACTION: By motion, Ord. No. 1694-C.S. adopted. (Clerk to handle)

(e) Ord. No. 1695-C.S. relating to 1976 Uniform Housing Code.

ACTION: By motion, Ord. No. 1695-C.S. adopted. (Clerk to handle)

(f) Ord. No. 1696-C.S. relating to 1976 Dangerous Buildings Code.

ACTION: By motion, Ord. No. 1696-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

15. Consider adoption of the following two resolutions pertaining to the annexation of the Sutter-Colorado Addition to the City of Modesto.
A. Resolution Calling A Special Election to be Held on March 7, 1978.
B. Resolution Certifying Review of Environmental Assessment and Directing the filing of a Notice of Approval of Annexation.
(At its meeting on December 12, 1977, the Council directed staff to prepare these resolutions and bring them back to the Council for adoption. Adoption of two resolutions needed.)

ACTION: Res. 77-1314 adopted (Lang/Dunlap, maj. - Mayor Davies, no - Siefkin, absent) calling election. (Clerk to handle)

Res. 77-1315 adopted (Lang/Dunlap, maj. - Mayor Davies, no- Siefkin, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

NEW BUSINESS

CONSENT

16. Consider a one-time 15 per cent cost-of-living increase for retired City of Modesto employees, and approve appropriation transfer from the General Reserve to implement the benefit.
(Memo with agenda. Resolution of intent to amend PERS contract needed. Estimated Cost: $4,700.)

ACTION: Res. 77-1316 adopted approving amendment to PERS contract. (Management Services to handle)

CONSENT

18. Consider a resolution revising the Position Classification Plan for the City of Modesto. Consider a resolution amending Exhibit "F" of resolution entitled "A Resolution Establishing Salary Schedules and Fixing Compensation for Positions in the City Service." (Airport Maintenance Supervisor Classification)
(Memo with agenda. Two resolutions needed. Estimated Cost: $400; funds are budgeted.)

ACTION: Res. 77-1317 adopted Revising Position Classification Plan. (Mgmt/Services to handle)

Res. 77-1318 adopted establishing salary schedules. (Mgmt/Services to handle)

CONSENT

19. Consider acceptance of State and Federal construction grants for aeration project.
(The City has received grant offers from the EPA in the amount of $933,750 and from the State Water Resources Control Board in the amount of $155,625 for the construction of aeration units at the oxidation ponds. It would be in order for the City Council to accept these grant offers and authorize the City Manager to execute the documents on behalf of the City. Two resolutions accepting grant offers and authorizing City Manager to execute offers on behalf of City needed.)

ACTION: Res. 77-1319 adopted accepting State grant. (Clerk to handle)

Res. 77-1320 adopted accepting Federal grant. (Clerk to handle)

CONSENT

20. Consider agreement with Jenks and Harrison to provide engineering services for construction phase of aeration project.
(Bids for aerators to be installed at the oxidation ponds are to be opened December 22, 1977. Construction is anticipated to begin by the middle of or late January. This agreement will provide continuing engineering services by our consultant through the construction phase of the project and will also provide for the completion of the Operation and Maintenance Manual and asbuilt drawings of the project. Total cost is $8,700, of which 87½% will be funded by grants. Resolution authorizing the City Manager to execute agreement needed. Funds are budgeted.)

ACTION: Res. 77-1321 adopted approving agreement. (P/W to handle)

CONSENT

21. Consider acceptance of Vintage Faire No. 2 subdivision improvements and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Joe Trombetta)
(Vintage Faire No. 2 subdivision is located on the south side 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 needed.)

ACTION: Res. 77-1322 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

22. Report of Superintendent of Streets on the cost of alley resurfacing at the following locations:
(Resolutions setting January 9, 1978 at 7:35 P.M. for hearings needed. Funds are budgeted.)

BLOCK 553 - McHENRY AVE.-ELMWOOD AVE./STODDARD AVE.-ELMWOOD COURT

NAME	LOT	AMOUNT
Manuel M. Acosta	14 & 15	$103.25
Glen A. Shull	16 & 17	$103.25
Dale Moon	18 & 19	$103.25
Anna M. Campbell	20 & 21	$103.25
Joseph J. Mingham, Jr.	portion	$196.19
Paul E. Acbersold	1 thru 6	$289.98
Texaco, Inc.	7 thru 12	$309.77

ACTION: Res. 77-1323 adopted setting hearing. (Clerk to handle)

CONSENT

22. Report of Superintendent of Streets, continued.

BLOCK 6075 - PEARL STREET - ORANGEBURG AVE.,/TULLY ROAD - TEBBUTT

NAME	LOT	AMOUNT
William J. Brendemuehl	portion	$153.51
Clarence Yohanan	portion	$157.50
Harry David Miller	portion	$151.03
James Thomas Watson III	portion	$151.03
Marion W. Click	portion	$141.10
Gayno W. Howard	portion	$460.22
Glen A. Delaplane	portion	$291.24

ACTION: Res. 77-1324 adopted setting hearing. (Clerk to handle)

BLOCK 6628 - KINGSBURY AVE.-MOUNT VERNON DR./UHLIG AVE.-HEMMINGER WAY

William A. Auda	14	$149.76
Anthony I. Seliski	15	$125.06
LaSalle Christensen	16	$125.06
Irvin P. Cox	17	$125.06
Campos Gumaro Diaz	18	$125.06
Fred R. Crane	19	$125.06
Axel F. Johnson	20	$131.08
Cleo U. Clark	21	$123.01
Audrey L. King	22	$125.06
Olen R. Gee	23	$125.06
Allan L. Bowlin	24	$125.06
Manuel A. Silva	25	$125.06
J. Warren Leether	26	$155.40
Frank E. Post	13	$155.79
Harold L. Gray	12	$125.06
Aleeda E. Hayes	11	$125.06
Jeffrey S. Jumper	10	$125.06
Jerry C. Mattox	9	$125.06
Harold B. Shaw	8	$125.06
Les L. Prasad	7	$125.06
Paul R. Naber	6	$129.03
Bob G. Usrey	5	$125.06
Raymond V. Ereda	4	$125.06
Joe T. Guerrero	3	$125.06
Richard Harrison	2	$125.06
Guy Benning	1	$149.37

ACTION: Res. 77-1325 adopted setting hearing. (Clerk to handle)

BLOCK 6701 - BISPO DR.-BRIGGSMORE AVE./WINNING AVE.-TULLY ROAD

Cleveland J. Stockton and Sanders Const. Co.	portion	$283.38
David L. Graham	14	$138.33
Ralph Rea	13	$137.46
Carl Ross Costley	12	$137.46
Dixie Tollander	11	$137.46
Glen R. Terryberry	10	$137.46
John Magaddino	9	$137.46
Frank J. Azevedo	8	$136.60
John R. Dryden	7	$138.27
Ricardo A. Carranza	1	$136.66
Sody Veras	2	$137.46
Eliel V. DeSouza	3	$137.46
Rachel M. Zenard	4	$137.46
Gerald A. Landers	5	$137.46
Earl L. Bell	6	$137.46

ACTION: Res. 77-1326 adopted setting hearing. (Clerk to handle)

CONSENT

22. Report of Superintendent of Streets, continued.

BLOCK 6805 - BOWEN AVE.-NANCY CT/LaVILLA ROSE CT-ENSLEN AVENUE

NAME	LOT	AMOUNT
Albert L. Nelson	portion	$113.94
Gerald J. Marasovich	portion	$123.20
Richard G. Waring	portion	$114.10
Lewis C. Rash	portion	$123.20
Robert R. Hedgepeth	portion	$123.20
Jeannette Westerink	portion	$123.20
Merlin Duane Dengerink	portion	$123.20
William L. McSwain, Jr.	portion	$123.20
Harold J. Finley	portion	$123.20
Helen Andritsis	portion	$123.20
Nora Naraghi	portion	$123.40
Paul E. Porter	portion	$236.35
Anne Welch	portion	$128.13
Lloyd E. Raymond	31	$146.91
Kathryn L. Wahl	30	$137.98
Robert V. Grandstaff	29	$137.98
Edward B. Liljeblad	28	$137.98
Stephen S. Locke	27	$137.98
Helen R. Foletta	26	$137.98
Donald L. Miller	25	$210.58
Clarence A. Tallent	24	$159.67

ACTION: Res. 77-1327 adopted setting hearing. (Clerk to handle)

BLOCK 6834 - LEVELAND AVE.-FLEETWOOD DRIVE-SHERWOOD AVENUE

Arthur G. Palme	17	$201.47
Charles K. Huston, Sr.	18	$183.94
Rowland H. Gum	19	$186.02
Carl J. Schuetze, Jr.	20	$185.40
Charles F. Hewitt	21	$185.40
Zoe E. Gross	22	$185.40
Ginnie T. Stocker	23	$185.40
Elmo Wilson, Sr.	24	$195.06
William M. Schendel	16	$181.94
Raymond H. Benefield	15	$176.95
Frank H. Lowry	14	$191.58
John D. Anderson	13	$207.65
Ernest K. Gowdy	12	$205.55
A. E. Ghilotti	11	$195.70
Wilson F. Bader	10	$348.70

ACTION: Res. 77-1328 adopted setting hearing. (Clerk to handle)

23. Consider approval of agreement between the City of Modesto and the County of Stanislaus pertaining to the Sutter-Colorado Addition. (Copy of proposed agreement with agenda. Resolution approving agreement needed.)

ACTION: Res. 77-1329 adopted (Dunlap/Mensinger, maj. - Mayor Davies, no - Siefkin, absent) approving agreement. (Clerk to handle)

REPORTS

CONSENT

24. Recommend to Council an amendment to Section 2-3-8 of the Zoning Map - Milton David.
(On December 6, 1977, the Planning Commission adopted Res. 77-217 recommending to the Council an amendment to Section 2-3-8 of the Zoning Map to prezone to P-D to permit construction of a neighborhood shopping center and a 122-unit multiple family residential complex,

CONSENT

24. Recommend to Council an amendment to Sec. 2-3-8, continued.

property located at the southwest corner of Pelandale and Dale. Resolution setting public hearing for January 9, 1978 at 7:45 P.M. needed.)

ACTION: Res. 77-1330 adopted setting hearing. (Clerk to handle)

CONSENT

25. Recommend to Council an amendment to Section 8-3-9 of the Zoning Map - Winsor.
(On December 6, 1977, the Planning Commission adopted Res. 77-216 recommending to the Council an amendment to Section 8-3-9 of the Zoning Map to rezone from R-1 to P-D to permit construction of a multiple family residential complex property located on the north side of Standiford Avenue east of Columbine Drive. Resolution setting public hearing for January 9, 1978 at 7:50 P.M. needed.)

ACTION: Res. 77-1331 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

26. Legislation.

NONE

27. Appointments.

NONE

28. Matters too late for the agenda.

NONE

29. Executive session to consider personnel matters.

Adjourned at 4:50 P.M. to executive session to consider personnel matters and then to Tuesday, December 20, 1977, at 8:00 A.M. at Howard's Restaurant, 1312 McHenry Avenue, Modesto, California, to discuss legislation with State Assemblyman John Thurman.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

Modesto City Council
Adjourned Regular Council Mtg.
December 20, 1977

The Modesto City Council met pursuant to adjournment at 8:00 A.M. at Howard's Restaurant, 1312 McHenry Avenue, Modesto, California, to discuss legislation with State Assemblyman John Thurman.

Present: Councilmembers Elliott, Lang, Mensinger, Siefkin, Mayor Davies
Absent: Councilmembers Dunlap, Kullijian

Various pieces of State legislation that would affect Modesto were discussed with Assemblyman Thurman.

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 27, 1977, AT 7:30 P.M.

Roll Call Present: Councilmembers Elliott, Kullijian, Lang, Mensinger, Mayor Davies
Absent : Councilmembers Dunlap and Siefkin.

Pledge of Allegiance to the Flag
Invocation by Reverend Wendell Woodthorpe, Church in the Park Ministries

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9, 10, 15, 16, 17, 18, 20, 21

Item 19 removed from consent

(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 Council meeting of December 16, 1977, the regular Council meeting of December 19, 1977, and the adjourned regular meeting of December 20, 1977, (Motion approving needed.)

ACTION By motion, minutes approved.

COMMUNICATIONS

2. Letter from Mrs. Mandy Williams requesting Council support of the Sickle Cell Anemia Foundation of Stanislaus County.

ACTION By motion (Mensinger/ Elliott, unanimous; Dunlap and Siefkin absent) Council expressed support of the application for funds for the Sickle Cell Anemia Foundation and authorized the Mayor to give the Foundation a letter to that effect. (Manager to handle).

CONSENT
3. Letter from Germino Law Office requesting permission to file a late claim on behalf of Cesaria Ponce.
(Resolution rejecting request to file late claim needed.)

ACTION Res. 77-1332 adopted, rejecting request to file late claim.
(Clerk to handle.)

CONSENT
4. Appeal by D. Gary West to Planning Commission decision to a request by West Ben, Inc., to rezone from R-1 and H-1 to P-D property on Sisk Road south of Rumble Road.
(Resolution setting hearing on January 23, 1978, at 7:45 P.M. needed.)

ACTION Res. 77-1333 adopted setting hearing on January 23, 1978, at 7:45 P.M.
(Clerk to handle.)

CONSENT
5. Consider approval of plans and specifications and call for bids for construction of utility building at Revard Park.
(Suggested bid opening date: January 24, 1978 at 11:00 A.M. This building has been planned as part of the Master Plan. Resolution approving plans and specifications and call for bids needed. Estimated cost: $44,172.00 (Constr. $42,164.00; Engr. $2,008.00); funds are budgeted.)

ACTION Res. 77-1334 adopted approving plans and specifications and calling for bids. (P.W. to handle.)

CONSENT

6. Consider approval of specifications and authorize call for bids to be opened January 31, 1978, at 2:00 P.M. for furnishing one frontend claw loader.
(Equipment is requested by the Public Works Service Division and will not replace any like equipment presently in service. Equipment will be assigned to the Garden Refuse Division and will provide a means of handling garden refuse, alley pick-up, and leaf removal. Resolution authorizing call for bids needed. Estimated Cost: $25,000.00; funds are budgeted.)

ACTION Res. 77-1335 adopted approving specifications and calling for bids. (P.W. to handle)

CONSENT

7. Consider approval of specifications and authorize call for bids to be opened January 31, 1978, at 2:15 P.M. for furnishing one garden refuse packer truck.
(Equipment is requested by the Public Works Service Division and will not replace any like equipment presently in service. Equipment will be assigned to the Garden Refuse Division and will provide a means of handling garden refuse, alley pick-up, and leaf removal.
Resolution authorizing call for bids needed. Estimated Cost: $60,000.00; funds are budgeted.)

ACTION Res. 77-1336 adopted approving specifications and calling for bids. (P.W. to handle)

CONSENT

8. Consider approving plans and specifications for the modification of traffic signals on Coffee Road at Briggsmore Avenue and authorizing call for bids.
(Memo with agenda. The signal controller is to be replaced and left turn signals are to be added for Coffee Road traffic at a cost of about $15,000. Resolution approving plans and specifications and calling for bids at 2:00 P.M. on January 24, 1978, needed. Funds are budgeted.)

ACTION Res. 77-1337 adopted approving plans and specifications and calling for bids. (P. & T. to handle.)

CONSENT

9. Consider approval of plans and specifications and call for bids for construction of waterlines in Towery Plaza and waterline extension in Gayle Avenue.
(Suggested bid opening: January 10, 1978 at 11:00 A.M.

Costs and Revenue:	Towery Plaza	Gayle Avenue
Construction	$37,791	$9,174
Connection Charges	14,520	
Net Revenue	1,148	

Resolution approving plans and specifications and call for bids needed. Estimated Cost: $46,965 ($39,180 Contract, $7,785 Engr. & Materials); Funds are budgeted.)

ACTION Res. 77-1338 adopted approving plans and specifications and calling for bids (P.W. to handle.)

CONSENT

10. Consider acceptance of Western Pipeline Co.'s contract for the construction of subtrunk sewer in E. Orangeburg Avenue from Christopher Ct. to Glenbrook Way. (Original: $58,000.00)
(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.
Resolution accepting work as complete needed. Final Cost: $60,249,14); funds are budgeted.)

ACTION Res. 77-1339 adopted accepting contract as complete. (Clerk to handle)

11. Hearing to amend Sec. Map 7-3-9 of the Zoning Map to rezone from R-1 to R-2 and P-D to permit construction of a neighborhood shopping center, property located at the northeast corner of Standiford and Prescott Road. (Norman Winsor)

ACTION By motion (Lang/Kullijian unanimous, Dunlap and Siefkin absent) Ord. No. 1697-C.S. introduced rezoning area (Clerk to handle)

Res. 77-1340 adopted (Lang/Kullijian, unanimous, Dunlap and Siefkin absent) approving develop plan P-D (176) (Planning to handle)

Res. 77-1341 adopted (Lang/Kullijian unanimous, Dunlap and Siefkin absent,) Directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

12. Hearing to amend Sec. Map 21-3-9 of the Zoning Map to rezone from R-1 to P-O, property located at the southwest corner of E. Orangeburg Avenue and Allen Drive. (Paul M. Zagaris) 7:35 P.M.

ACTION By motion (Kullijian/Lang, unanimous, Dunlap and Siefkin absent) Ord. no. 1698-C.S. introduced rezoning area. (Clerk to handle)

Res. 77-1342 adopted (Kullijian/Lang, unanimous, Dunlap and Siefkin absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

13. Hearing to amend Sec. Map 22-3-9 of the Zoning Map to rezone from R-1 to P-O, property located on the east side of Coffee Road north of Coolidge Avenue. (Marion L. and Helen Rampley) (At the meeting of December 12, the City Council declared its intention to continue this hearing to January 9, 1978, at 7:35 P.M.) 7:40 P.M.

ACTION By motion (Kullijian/Mensinger, unanimous, Dunlap and Siefkin absent) hearing continued to January 9, 1978, at 7:35 P.M. (Clerk to handle)

14. Matters for the good of the Community. 7:45 P.M.
(These may be presented by interested persons in the audience.)

NONE

NEW BUSINESS

CONSENT
15. Consider request for 5 additional clerical positions to replace part-time employees due to Federal and State government mandated Unemployment Insurance.
(Memo with agenda. Motion approving 5 additional positions needed.. Request for funds being held because of a possible court injunction delaying implementation.)

ACTION By motion, 5 additional positions approved. (Management Serv. to handle

CONSENT
16. Consider request of Mr. and Mrs. T. L. Scott for authorization to construct a six-foot high fence in sidewalk planting strip at 1720 Falmouth Way. Resolution approving request needed.)

ACTION Res. 77-1343 adopted approving request (P.W. to handle)

CONSENT
17. Recommendation by the Dangerous Buildings Code and Housing Advisory Board of Appeals for an amendment to the Uniform Code for the Abatement of Dangerous Buildings.
(The Board of Appeals has recommended an alternate to sprinklers in basements in existing buildings. Memo with agenda. Resolution setting an informal hearing January 9, 1978 at 7:55 P.M. needed.)

ACTION Res. 77-1344 adopted setting informal hearing on Jan. 9, 1978 at 7:55 P.M. (Clerk to handle)

CONSENT

18. Consider approval of purchase order to Victor Burton for installation of curbs and sidewalks at 1607 Locke Road.
(The installation of curbs and sidewalks at this property has been requested as part of the mandatory sidewalk program. The property owner has responded and obtained a contractor to do the work. The cost of the work will be financed through the sidewalk special account with the property owner making payments to the City each year. Because the amount of the purchase order exceeds $3,500, it is necessary to obtain approval by City Council before the purchase order is issued. Resolution authorizing purchase order in amount of $4,493.25 to Victor Burton needed. Funds are budgeted.)

ACTION Res. 77-1345 adopted approving purchase order of $4,493.25 to Victor Burton. (Finance to handle)

19. Consider cooperative agreement between City and County for the reconstruction of Claus Road between Yosemite Boulevard and Briggsmore Avenue. County is lead agency.
(This is a $450,000 project of which City share is $65,000.00; start of construction will be on or after October 1, 1978. Resolution authorizing City Manager to sign agreement needed. Estimated Cost: $65,000; funds are budgeted.)

ACTION Res. 77-1346 adopted (Lang/Kullijian, unanimous, Dunlap and Siefkin absent) approving agreement.

Res. 77-1347 adopted (Lang/Kullijian, unanimous, Dunlap and Siefkin absent, approving the County of Stanislaus' negative declaration. (P.W. to handle)

CONSENT

20. County Referral of Open Space Contracts:

1. Application 78-3436, Anthony & Barbara Ciccarelli, 2513 Shoemake Ave., dropped from agenda.

2. Application 78-3353, Ted and Theresa Kramer, 4349 Murphy Road.

ACTION Res. 77-1348 adopted expressing no objection to application. (Planning and C.D. to handle)

3. Application 78-3380, Ralph Bava, 706 West Whitmore Avenue.

ACTION Res. 77-1349 adopted expressing no objection to application. (Planning and C.D. to handle)

4. Application 78-3567, Hugh Adams, N. side of Kansas, 1/2 mile west of Carpenter Road.

ACTION Res. 77-1350 adopted expressing opposition to application. (Planning and C.D. to handle)

5. Application 78-3356, Peter Bava, 2150 Carpenter Road.

ACTION Res. 77-1351 adopted expressing no objection to application. (Planning and C.D. to handle)

(One resolution expressing recommendation of oppostion and three resolutions expressing recommendation of no opposition needed.)

CONSENT

21. Approve changes to Personnel Rules.
(Memorandum with agenda. Resolution approving changes needed.)

ACTION Res. 77-1352 adopted approving changes to Personnel Rule 13.4 (Vacations) (Management Services to handle)

22. Legislation

NONE

23. Appointments

NONE

24. Matters too late for the agenda

NONE

Adjourned at 7:55 P.M.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk

12/27/77