

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 5, 1976 AT 4:00 P.M.

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

Pledge of allegiance to the Flag.

Invocation by Reverend O. D. Johnson, First Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 13,  
Item 32 removed from consent 16, 17, 18, 19, 20, 21, 22, 23,  
Dunlap/Newton, unan. 25, 26, 27, 28, 29, 30, 31, 33,  
34, 35

(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 Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council.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)

APPROVAL OF MINUTES

CONSENT

1. Adjourned regular meeting of December 19 and regular meeting of December 22, 1975.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Letter from Ernest W. Hahn, Inc. appealing decision of Planning Commission denying the application of E. W. Hahn, Inc., Carter Hawley Hale Properties, Inc., and Sears Roebuck & Company for an amendment to P-D(109) Vintage Faire Regional Shopping Center, relating to the height of wall signs.  
(Resolution setting February 9, 1976 at 7:35 P.M. for public hearing needed)

ACTION: Res. 76-1 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

3. Consider award of contract for construction of waterlines in Wyldewood Grove No. 1.  
(Bids were opened December 23, 1975. The low bid of \$6,180 submitted by R & R Construction Company, which is 4% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$6,180. Funds are budgeted)

ACTION: Res. 76-2 adopted awarding contract to R & R Construction Co.  
(P/W to handle)

CONSENT

4. Consider acceptance of Jack Forcade's contract for construction of subtrunk sewer in Honeycreek Road and Nightingale Drive in Woodglen Park Subdivision.  
(Original contract \$83,150. 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 needed. Final cost \$83,007.10. Funds are budgeted)

ACTION: Res. 76-3 adopted accepting contract. (Clerk to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for construction of waterlines in Strathmore Village No. 1.  
(Bid opening January 20, 1976 at 11:00 A.M. Cost and Revenues: Construction, \$16,260; Connection Charges, \$5,720; Net Revenue, \$452. Resolution approving bid call needed. Estimated cost, \$16,260. (\$10,135, construction; \$6,125 Engr. & Matls.). Funds are budgeted)

ACTION: Res. 76-4 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for street light modernization, phase VII, 1975-76.  
(Bid opening January 27, 1976 at 11:00 A.M. Memo with agenda. Resolution approving plans, specifications and bid call needed. Estimated cost, \$237,721 (Contract \$215,827; Eng. & Inc. \$21,894). Funds are budgeted)

ACTION: Res. 76-5 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

7. Consider approval of specifications and authorize call for bids to be opened January 20, 1976 at 2:00 P.M. for dismantling, relocation, certification and declassification of equipment 203A. (Utility Model DMC Crane).  
(Work required as a result of the City purchase of a new 25,500 G.V.W. cab and chassis as a replacement for City equipment 203-Crane transfer exceeds the capabilities of the service division. Resolution needed. Estimated cost \$3,865. Funds are budgeted)

ACTION: Res. 76-6 adopted approving specifications and bid call.  
(Clerk to handle)

HEARINGS

8. Hearing, annexation of Veneman Addition to City of Modesto. 4:00 P.M.

ACTION: Res. 76-7 adopted (Kullijian/Elliott, unan.) declaring no majority protest made.

Ord. No. 1487-C.S. adopted (Kullijian/Elliott, unan.) annexing area. (Clerk to handle)

9. Hearing, appeal to decision of Planning Commission denying application for rezoning from R-1 to P-D to permit development of an office park and incidental commercial on the northeast corner of Dale Road and Veneman Avenue. (Land Resource Development Corp.) 4:05 P.M.

ACTION: Res. 76-8 adopted (Siefkin/Elliott, unan.) denying appeal and upholding action of Planning Commission. (Planning to handle)

10. Hearing, appeal to decision of Board of Zoning Adjustment denying a use permit for a pole sign in an H-1 Zone - Shortstop Market at 150 North Riverside Drive. 4:10 P.M.

ACTION: Res. 76-9 adopted (Dunlap/Newton, unan.) denying appeal and upholding action of Planning Commission. (Planning to handle)

11. Hearing, abandonment of a 20-foot alley between Block P and Block 215. (Asbill) 4:15 P.M.

ACTION: Res. 1322-S.P. adopted (Elliott/Kullijian, unan.) vacating and abandoning alley. (Clerk to handle)

12. Matters for the good of the community. 4:20 P.M.  
(These may be presented by interested persons in the audience)

NONE

#### ORDINANCES

##### CONSENT

13. Adoption of the following ordinances:  
(Motion adopting needed)

(a) Ord. No. 1485-C.S. amending code relating to sidewalk requirements.

ACTION: By motion, Ord. No. 1485-C.S. adopted.

(b) Ord. No. 1486-C.S. granting exclusive franchise to The Transadtise Company - bus benches.

ACTION: By motion, Ord. No. 1486-C.S. adopted. (Clerk to handle)

#### OLD BUSINESS

14. Further consideration of appeal by Charles Fenley to Planning Commission denial of request for rezoning from R-1 to P-D to permit construction of a car wash and office building complex at the northwest corner of Oakdale Road and Wylie Drive.  
(Public hearing was closed December 8, 1975)

ACTION: Ord. No. 1488-C.S. introduced (Kullijian/Elliott, maj. - Dunlap, Siefkin and Mayor Davies, no) rezoning area. (Clerk to handle)

Res. 76-10 adopted (Kullijian/Elliott, maj. - Dunlap, Siefkin and Mayor Davies, no) approving development plan. (Planning to handle)

Res. 76-11 adopted (Kullijian/Elliott, maj. - Dunlap, Siefkin and Mayor Davies, no) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

By motion (Kullijian/Elliott, unan.) plot plan approved subject to conditions recommended by staff with exceptions that: (1) Curb cut on Wylie Dr. may be refined by Director of Parking & Traffic; (2) operating hours to be 8:00 A.M. to 7:00 P.M. from May 1 to September 30 each year; (3) a bus shelter is to be included on the Oakdale Rd. side of property. (Planning to handle) Page 3 1/5/76

15. Report on application to transfer Red Top Taxi license.  
(Memo with agenda. Applicant seems to be qualified. Resolution approving transfer needed)

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

Res. 76-12 adopted (Elliott/Newton, unan. - Kullijian, absent) approving transfer. (P & T to handle)

#### NEW BUSINESS

##### CONSENT

16. Consider authorizing proceeding with the Carpenter-Blue Gum signals six months early.  
(Memo with agenda. Signals should be ready at this intersection when the Briggsmore-Carpenter overpass is completed in June 1976. Signals are budgeted in the 1976-77 C.I.P. Motion authorizing staff to proceed with plans and specifications needed. Estimated cost \$23,000. Fund transfer will be requested at the time a contract is awarded for the signals)

ACTION: By motion, staff authorized to prepare plans and specifications.  
(P & T to handle)

##### CONSENT

17. Consider appointment of Gerald McKinsey to replace Jim Young as a member of the Deferred Compensation Plan Committee.  
(Memo with agenda. Resolution making appointment needed)

ACTION: Res. 76-13 adopted appointing Gerald McKinsey to replace James H. Young and rescinding Resolution No. 74-137. (Clerk to handle)

##### CONSENT

18. Consider request of New Deal Market for permission to dig a trench across alley that connects their buildings for the installation of a new phone system.  
(Letter of request and memo with agenda. Resolution granting revocable encroachment permit needed)

ACTION: Res. 76-14 adopted granting revocable encroachment permit to New Deal Market subject to certain conditions, a copy of which is on file in the City Clerk's office. (P/W to handle)

##### CONSENT

19. Report of Superintendent of Streets on the cost of alley resurfacing at the locations listed below:  
(5 resolutions setting 7:35 P.M. on January 26, 1976 for hearings needed. Contract costs listed below with properties. Funds budgeted in Account No. 5301-41-321, Alley Improvement)

#### BLOCK 355

- (a) John D. & Mary Joe Silva, 2318 Monticello Ave., Lot 1-2 - \$107.10.
- (b) Hershel S. & Hazel C. Sypolt, 407 Leon Ave., Lot 3-4 - \$107.10.
- (c) Neil H. & Nona B. McKinnon, 409 Leon Ave., Lot 5-6 - \$107.10.
- (d) Russell L. Miller, 413 Leon Ave., Lot 7-8 - \$107.10.
- (e) Eva A. Waring, 417 Leon Ave., Lot 9-10 - \$107.10
- (f) Donald Windorsky, 421 Leon Ave., Lot 11-12 - \$107.10

CONSENT

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

BLOCK 355

- (g) Roseie L. Marlett, 425 Leon Ave., Lot 13-14 - \$107.10.
- (h) Virgil & Elma L. Burchett, 427 Leon Ave., Lot 15-16 - \$107.10.
- (i) Robert & Madge Malone, 433 Leon Ave., Lot 17-18 - \$107.10.
- (j) Eva A. Carillo, 435 Leon Ave., Lot 19-20 - \$107.10.
- (k) Clara Silva, 1200 Harris, Modesto, Lot 21-22 - \$107.10.
- (l) Stephen P. & Iva E. Stevens, 447 Leon Ave., Lot 23-24 - \$107.10.
- (m) Frank H. & Edith Westwood, 1207 South Ave., Lot 25-26 - \$107.10.
- (n) Edward A. & Mary Buran, 422 Yosemite Ave., Lot 27-28 - \$107.10.
- (o) Alfred M. & Helen M. Hansen, 440 Yosemite Ave., Lot 29-30 - \$107.10.
- (p) Larkin F. & Debbie Oliver, 434 Yosemite Ave., Lot 31-32 - \$107.10.
- (q) O. E. Malloy, 430 Yosemite Ave., Lot 33-34 - \$107.10.
- (r) Jay & Ruby L. Hatter, 426 Yosemite Ave., Lot 35-36 - \$107.10.
- (s) Donald Rex & Margaret M. Baker, 422 Yosemite Ave., Lot 37-38 - \$107.10.
- (t) Verna & Don M. Wallace, 418 Yosemite Ave., Lot 39-40 - \$107.10.
- (u) William C. & Mona V. Busby, 414 Yosemite Ave., Lot 41-42 - \$107.10.
- (v) Harry N. Williams, 410 Yosemite Ave., Lot 43-44 - \$107.10.
- (w) Salvador P. & Irene Gonzales, 406 Yosemite Ave., Lot 45-46 - \$107.10.
- (x) Syble J. Hamlin, 402 Yosemite Ave., Lot 47-48 - \$107.10.

ACTION: Res. 76-15 adopted setting hearings. (P/W to handle)

BLOCK 456

- (a) James A. Spoonmore, 447 N. Olive Ave., Lot 1-2 & portion 3 - \$117.24.
- (b) Mark W. & Lisa L. Meier, 439 N. Olive Ave., Lot 4 and portion of 3 and 5 - \$107.47.
- (c) William R. Mensinger, 435 N. Olive Ave., Lot 6 & portion of 5 and 7 - \$107.47.
- (d) Robert M. & Jane Disney, 429 N. Olive Ave., Lot 8-9 and portion 7 - \$107.47.
- (e) Jack K. & Venus R. Rosevear, 425 N. Olive Ave., Lot 10-11 - \$97.70.
- (f) Adrian A. & F. Sue Lopez, 421 N. Olive Ave., Lot 12-13 - \$97.70.
- (g) Isabelle G. Fairchilds, 417 N. Olive Ave., Lot 14-15 - \$97.70.
- (h) Wilson Harris, 415 N. Olive Ave., Lot 16-17 - \$97.70.
- (i) Martin L. & Lynae M. Greenwood & Josephine Ruffino, 411 N. Olive Ave., Lot 18-19 - \$97.70.

CONSENT

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

BLOCK 456

- (j) R. S. & Carol Kinzey, 407 N. Olive Ave., Lot 20-21 - \$240.87.
- (k) Charles C. & Eva D. Forsyth, 400 Myrtle Ave., Lot 22-23 - \$94.36.
- (l) Thomas K. & Pat Beard, 406 Myrtle Ave., Lot 24-25 - \$97.70.
- (m) Clarence T. & Mabel A. Johnson, 410 Myrtle Ave., Lot 26-27 and portion 28 - \$107.47.
- (n) Myron & Geraldine M. Moyle, 416 Myrtle Ave., Lot 29 and portion 28 and 30 - \$112.35.
- (o) Marion H. & Gladys Peterson, 420 Myrtle Ave., Lot 31 and portion 30 and 32 - \$112.35.
- (p) John C. & Viola Crouch, 430 Myrtle Ave., Lot 35-36 and portion 37 - \$127.01.
- (q) Violet S. Leib, 424 Myrtle Ave., Lot 33-34 and portion 32 - \$107.47.
- (r) James N. & June B. Tate, 434 Myrtle Ave., Lot 38-39 and portion 37 - \$117.24.
- (s) Helen S. Swartz, 438 Myrtle Ave., Lot 40-41 - \$97.70.
- (t) Betty F. Schroder, 444 Myrtle Ave., Lot 42-43 - \$97.70.
- (u) George C. & Delila B. Duckworth, 1018 W. Morris Ave., Lot 44-45 - \$97.70.

ACTION: Res. 76-16 adopted setting hearings. (P/W to handle)

BLOCK 587

- (a) James S. and Mary L. McLean, 418 Redwood Ave., Lot 1-2 - \$108.40.
- (b) Rolly R. & Opal Beach, 145 Melrose Street, Lot 3-4 - \$108.40.
- (c) Silvano & Martha J. Gelsomini, 531 Crows Landing Road, Lot 5-6 - \$411.92.
- (d) Silvano & Martha J. Gelsomini, 531 Crows Landing Road, Lot 7-8 - \$108.40.
- (e) Silvano & Martha J. Gelsomini, 531 Crows Landing Road, Lot 9-10 - \$108.40.
- (f) Silvano & Martha J. Gelsomini, 531 Crows Landing Road, Lot 11-12 - \$249.32.
- (g) Vito & Catherine Just, 509 Scenic Drive, Lot 13-14 - \$108.40.
- (h) Florence A. Abel, 129 E. Helen Ave., Lot 15-16 - \$108.40.
- (i) Florence A. Keir, 129 E. Helen Ave., Lot 17-18 - \$108.40.
- (j) Theodore C. and Ora O. Hardie, 124 High Street, Lot 19-20 - \$411.92.
- (k) Gertrude E. Cox, 126 High Street, Lot 21-22 - \$108.40.
- (l) Mae G. McClaskey, 145 Rocky Lane, Lot 23-24 - \$108.40.

CONSENT

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

BLOCK 587

- (m) Brenda J. Moreno & Gary D. Fant, P. O. Box 2095, Lot 25 - \$54.20.
- (n) Emilia C. Cavanna, 140 High Street, Lot 26-27 0 \$108.40.

ACTION: Res. 76-17 adopted setting hearings. (P/W to handle)

BLOCK 832

- (a) Robert & Judith L. Raingruber, 1044 Roseburg Ave., Lot 1 - \$121.20.
- (b) Tony & Elvera Nunes, 1128 College Ave., Lot 2 - \$135.34.
- (c) Donald R. & Mary Ann Roe, 1124 College Ave., Lot 3 - \$135.34.
- (d) Alice R. Gallian, 1120 College Ave., Lot 4 - \$135.34.
- (e) Edward R. & Anne M. Herman, 1116 College Ave., Lot 5 - \$135.34.
- (f) Robert & Hila Coleman, 1112 College Ave., Lot 6 - \$135.34.
- (g) Jessie M. Paine, 1108 College Ave., Lot 7 - \$135.34.
- (h) William A. Rose, 1308 Liberini Ct., Lot 8 - \$135.34.
- (i) Jean A. & Joseph E. Bearden, 1033 Cecil Way, Lot 9 - \$142.21.
- (j) Albert Henry & Genevieve Simi, 1131 Wellesley Ave., Lot 10-11 - \$256.52.
- (k) Donald S. & Rosemary A. Hawkins, 1125 Wellesley Ave., Lot 12 - \$135.34.
- (l) James & Eileen H. Van Parks, 1121 Wellesley Ave., Lot 13 - \$135.34.
- (m) Frank I. & Marjorie Barmettlor, 1117 Wellesley Ave., Lot 14 - \$151.50.
- (n) Kenneth L. & Carol E. Anderson, 1111 Wellesley Ave., Lot 15-16 - \$237.35.
- (o) Lawrence M. Aieleen R. Jaffa, 1105 Wellesley Ave., Lot 17 - \$152.51.
- (p) Manuel & Isable G. Nino, 1029 Cecil Way, Lot 18 - \$142.21.

ACTION: Res. 76-18 adopted setting hearings. (P/W to handle)

BLOCK 5322

- (a) Guy G. & Alda V. Durr, 416 Los Olivos Way, Lot 10 - \$275.00.
- (b) Joseph & Marie Dezzani, 1015 Arboleda Drive, Lot 11 - \$152.14.
- (c) Azalea Yandella, 1019 Arboleda Drive, Lot 12 - \$142.38.
- (d) John F. & Artis Miller, 1023 Arboleda Drive, Lot 13 - \$142.38.
- (e) May J. Crawford, 1027 Arboleda Drive, Lot 14 - \$142.38.
- (f) Burley E. & Edna Dowers, 1031 Arboleda Drive, Lot 14 - \$142.38.

CONSENT

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

BLOCK 5322

- (g) James P. and Marie E. Patton, 1103 Arboleda Drive, Lot 16 - \$142.38.
- (h) Jerry & Norma L. Peters, 1107 Arboleda Drive, Lot 17 - \$142.38.
- (i) Reuben L. & Ruth Sendejas, 1111 Arboleda Drive, Lot 18 - \$142.38.
- (j) Larry C. & Judy F. Minor, 1115 Arboleda Drive, Lot 19 - \$142.38.
- (k) Ray A. & Elsie F. Holton, 414 Los Palos Way, Lot 20 - \$142.38.
- (l) Leo T. & Hilda M. Coons, 418 Los Palos Way, Lot 21 - \$139.51.
- (m) Pete G. & Micaela Porras, 1114 Elm Avenue, Lot 22 - \$142.38.
- (n) Ronald A. & Catherine A. Nelson, 1516 Crestview Drive, Lot 23 - \$142.38.
- (o) Melvin O. Wilbourn, 1106 Elm Avenue, Lot 24, - \$142.38.
- (p) Loyd A. & Ida M. Ball, 1102 Elm Avenue, Lot 25 - \$142.38.
- (q) Manuel J. & Madelyn Amaral, 1030 Elm Avenue, Lot 26 - \$142.38.
- (r) Joseph & Alice Mora, 1026 Elm Avenue, Lot 27 - \$142.38.
- (s) Ray & Jean Eddings, 1022 Elm Avenue, Lot 28 - \$142.38.
- (t) Elmer & Julia Norwood, 1018 Elm Avenue, Lot 29 - \$142.38.
- (u) Robert L. & Mary A. Tune, 1014 Elm Avenue, Lot 30 - \$142.38.
- (v) Shirley A. Ridenour, 1010 Elm Avenue, Lot 31 - \$142.38.
- (w) Raymond & Evalyne P. Anderson, 1006 Elm Avenue, Lot 32 - \$145.25.

ACTION: Res. 76-19 adopted setting hearings. (P/W to handle)

CONSENT

20. Encroachment permit for D-V Marketing Ltd. to erect conveyor belt over sidewalk on the north side of E Street between 9th and 10th Streets.

(Memo with agenda. Resolution approving encroachment permit needed)

ACTION: Res. 76-20 adopted granting encroachment permit to D-V Marketing Ltd. subject to certain conditions, a copy of which is on file in the City Clerk's office. (P/W to handle)

CONSENT

21. Consider request for sewer service to property at 715 Sonora Avenue located on the northwest corner of Anthony Avenue and Sonora Avenue, south of the Tuolumne River.

(Property owners Robert and Gloria Ibarra have signed an agreement to annex when requested to do so by City. The property is not contiguous to the city limits; however, a sewer main exists to serve it. Resolution approving agreement needed)

ACTION: Res. 76-21 adopted approving agreement. (P/W to handle)

CONSENT

22. Consider amendment to Local Assistance Agreement for right of way services with Cal Trans, Kansas Avenue - Needham to P Street project. (Memo with agenda. Resolution approving amendment needed. Estimated cost, \$5,000 over original estimate for all acquisition services. Funds are budgeted)

ACTION: Res. 76-22 adopted approving amendment. (P/W to handle)

CONSENT

23. Consider approval of revised Airport Security Plan. (The security plan has been updated. Memo with agenda. Resolution approving Airport Security Plan needed)

ACTION: Res. 76-23 adopted approving revised plan. (P/W to handle)

24. Approval of recommendations of the Citizens Housing and Community Development Committee. (Memo with agenda. Motion approving recommendations needed)

ACTION: By motion (Elliott/Newton, unan.) approval given to recommendations a - j and the public improvements recommendation.

By motion (Elliott/Newton, unan.) synopsis of program accepted with staff directed to change wording re "side deals." (Planning to handle)

CONSENT

25. Consider accepting Ernest W. Hahn's offer to pay City to install traffic signals and street lights at Dale and Standiford and at Dale and a driveway to Vintage Faire Shopping Center. (The signals, estimated at \$124,000, will help facilitate traffic in and about the shopping center safely. Memo with agenda. Motion accepting Hahn's offer and authorizing staff to work with Hahn to prepare agreement needed. Funds will be appropriated when agreement is approved)

ACTION: By motion, offer accepted and staff directed to prepare agreement. (P & T to handle)

CONSENT

26. Consider approval of the amended map of Coffee Terrace No. 4 Subdivision. (All improvements have been constructed for this subdivision and accepted by the City Council. A standard subdivision agreement and improvement bond deposit is not required to approve this amended map. The amended final map is required to correct street names in Coffee Terrace No. 4 Subdivision. This subdivision is located on the north side of Floyd Avenue east of Coffee Road. Resolution approving amended map needed)

ACTION: Res. 76-24 adopted approving amended map. (Clerk to handle)

CONSENT

27. Consider relocating pedestrian signals located at 10th and I, 10th and K, 11th and L and 12th and J Streets. (These signals were disconnected per DMA request and can be of use at other locations in the City. Memo with agenda. Motion authorizing staff to relocate signals and resolution authorizing appropriation transfer of \$2,000 needed. Estimated cost \$2,000)

ACTION: By motion, staff authorized to relocate signals for use at other locations. (P & T to handle)  
Res. 76-25 adopted approving appropriation transfer of \$2,000 from Account 60-101 to Account 5304-56-101. (Finance to handle)

CONSENT

28. Approve submission of application to UMTA for transit operating funds for 1975-76.  
(It is recommended that this application be submitted now so we can start claiming transit operating deficits back to July 1, 1975. Memo with agenda. Resolution authorizing submission of application needed. City's share of funds budgeted)

ACTION: Res. 76-26 adopted authorizing submission of application.  
(P & T to handle)

CONSENT

29. Consider approval of final map of the Romano Estates 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.  
(The subdivision agreement has been signed and all fees paid. Romano Estates No. 2 is located east of Sonoma Avenue and south of East Orangeburg Avenue. It contains 6.247 acres. Resolution approving final map needed)

ACTION: Res. 76-27 adopted approving final map. (Clerk to handle)

CONSENT

30. Consider assignment of fixed base operator lease at Modesto City-County Airport from Walter J. Vav Heukelem, dba Modesto Exec-Air, to Western Lumber Sales, Stockton, California.  
(It is recommended assignment of the lease be approved. Memo with agenda. Resolution approving assignment needed)

ACTION: Res. 76-28 adopted approving assignment of lease. (P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

31. Recommend amendment to Section 19-3-9 of the zoning map.  
(On December 16, 1975, the Planning Commission adopted Resolution 75-192 repealing P-D(74) and rezoning to R-1 and R-2 property located on the south side of Evergreen Avenue, west of Grape Avenue. Resolution setting February 2, 1976 at 4:05 P.M. for public hearing needed)

ACTION: Res. 76-29 adopted setting hearing. (Clerk to handle)

32. Recommend amendment to Section 15-3-9 of the zoning map - Harley Brannen.  
(On December 16, 1975, the Planning Commission adopted Resolution 75-198 to reclassify from Medium High Density Residential Zone, R-3, to Planned Development Zone, P-D, to allow construction of an office building to house a variety of business and professional offices on the northwest corner of Oakdale Road and Lancey Drive. Resolution setting January 26, 1976 at 7:40 P.M. for public hearing needed)

ACTION: Res. 76-30 adopted (Mensingher/Siefkin, unan.) setting hearing.  
(Clerk to handle)

CONSENT

33. Recommend amendment to Sections 23-3-9 and 26-3-9 of the zoning map - Zagaris.  
(On December 16, 1975, the Planning Commission adopted Resolution 75-199 to rezone P-D(110) to R-1, property located on the north side of Scenic Drive, East of Sonoma. Resolution setting public hearing on January 26, 1976 at 7:45 P.M. needed)

ACTION: Res. 76-31 adopted setting hearing. (Clerk to handle)

CONSENT

34. Proposed amendment to Chapter 2 of Title X of the municipal code. (On December 16, 1975, the Planning Commission adopted Resolution 75-196 recommending to the Council amendments to Section 10-2-231 of Article 2 of Chapter 2 of Title X of the Municipal Code which pertains to Home Occupation Permits for Severely Handicapped. Resolution setting January 19, 1976 at 4:05 P.M. for public hearing needed)

ACTION: 76-32 adopted setting hearing. (Clerk to handle)

CONSENT

35. Set date for public hearing for proposed amendment to municipal code - amusement machine centers. (Memo with agenda. Resolution setting January 19, 1976 at 4:10 P.M. for public hearing needed)

ACTION: Res. 76-33 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

36. Legislation.

ACTION: The City Manager stated that ACA71 was being studied.

Councilmember Siefkin requested an update on AB15.

37. Appointments.

ACTION: Res. 76-34 adopted (Mensing/ELLIOTT, unan.) reappointing Robert Thompson as a member of the Planning Commission for a term ending January 1, 1980.

Res. 76-35 adopted (Mensing/ELLIOTT, unan.) reappointing Wesley Hall as a member of the Board of Zoning Adjustment for a term ending January 1, 1980.

Res. 76-36 adopted (Mensing/ELLIOTT, unan.) appointing Richard Jennings (replacing Ben Jennings) for a term ending May 1, 1978 and Evelyn Yabroff (replacing Barbara Darpinian) for a term ending May 1, 1979 as members of the Human Rights Commission.

Res. 76-37 adopted (Mensing/ELLIOTT, unan.) reappointing Pete Dutton as a member of the Personnel Commission for a term ending January 1, 1980. (Clerk to handle)

38. Matters too late for the agenda.

NONE

Adjournment at 6:55 P.M.

ATTEST:   
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 12, 1976 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Newton, Siefkin,  
Mayor Davies  
Absent: Mensinger  
(Councilmember Newton arrived at 7:40 P.M.)

Pledge of allegiance to the Flag  
Invocation by Reverend George Swift, Free Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 7, 8, 9,  
Dunlap/Siefkin, unan. - Mensinger and 16, 17, 18, 19, 20, 21, 23a  
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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of January 5, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Camellia Society of Modesto that City of Modesto contribute the Sweepstakes Trophy for the 15th Annual Camellia Show to be held March 20 and 21, 1976.  
(Resolution approving needed)

ACTION: Res. 76-38 adopted granting request. (Finance to handle)

3. Proposal by Modesto Bee for City participation in the special agriculture, business and industry edition on January 30, 1976.

ACTION: By motion (Elliott/Dunlap, unan.) participation approved with emphasis to be on environmental approach. (C/Mgr to handle)

BIDS

CONSENT

4. Consider award of contract to Hogin Bros. for construction of picnic area at Downey Park.  
(Bids were opened December 23, 1975. The low bid of \$57,561 submitted by Hogin Bros., which is 0.3% under the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$57,561. Funds are budgeted)

ACTION: Res. 76-39 adopted awarding contract to Hogin Bros. (P/W to handle)

CONSENT

5. Consider acceptance of Joe Martin's contract for construction of waterlines in Eastridge No. 4 Subdivision. (Original contract \$16,674.25. 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 record notice of completion. Resolution accepting work as complete needed. Final cost \$16,455.67 (Main, \$14,925.67; Services, \$1,530.) Funds are budgeted)

ACTION: Res. 76-40 adopted accepting contract. (Clerk to handle)

CONSENT

6. Consider award of contract for drilling, casing, testing and development of one deep well for the City of Modesto - Well No. 16, relocation. (Bids were opened January 6, 1976. The low bid submitted by Osterberg & Stewart, which is 1% below the Engineer's Estimate, is considered acceptable. Estimated cost \$14,862.50. Funds are budgeted)

ACTION: Res. 76-41 adopted awarding contract to Osterberg & Stewart. (P/W to handle)

CONSENT

7. Consider declaring Diamond Steel Company the lowest responsible bidder and authorizing the purchase of one steel 1,500 gallon water tank for \$6,688.60. (Memo with agenda. Resolution needed. Estimated cost \$6,688.60. Funds are budgeted)

ACTION: Res. 76-42 adopted accepting bid of Diamond Steel Co. (Finance to handle)

CONSENT

8. Consider acceptance of C. I. Cunningham's contract for construction of Little John Creek Bridge. (Original contract \$12,129. All work on this project has been completed to the satisfaction of the Parks and Public Works Departments. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final contract cost \$12,129. Funds are budgeted)

ACTION: Res. 76-43 adopted accepting contract. (Clerk to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for construction of wading pool and lights at Sutter Park. (Bid opening date January 27, 1976 at 11:10 A.M. These improvements have been planned as part of the Sutter Park Master Plan. Resolution approving plans, specifications and call for bids needed. Estimated cost \$39,386.95 (\$38,386.95 construction; \$1,000 Engineering).

ACTION: Res. 76-44 adopted approving plans, specifications and bid call. (Clerk to handle)

HEARINGS

10. Continued hearing on appeal by Frank Fontana to Planning Commission denial of request to prezone to P-D to allow development of a satellite commercial shopping center at the northwest corner of Scenic Drive and Lakewood Ave. 7:30 P.M.  
(Continued from 12/8/75 council meeting)

ACTION: Res. 76-45 adopted (Elliott/Dunlap, unan. - Mensinger, absent) denying appeal. (Clerk to handle)

11. Hearing on Planning Commission recommendation that Winning Ave. be closed at its intersection with Briggsmore Avenue. 7:35 P.M.
- ACTION: Res. 1323-S.P. adopted (Elliott/Newton, unan. - Mensinger, absent) closing Winning Ave. at intersection with Briggsmore. (Planning to handle)
12. Hearing on Planning Commission recommendation that three alley openings onto Briggsmore Ave. between Elmhurst Drive and Winning Avenue be closed. 7:35 P.M.
- ACTION: Res. 1324-S.P. adopted (Elliott/Newton, unan. - Mensinger, absent) closing three alley openings onto Briggsmore. (Planning to handle)
13. Consideration of Planning Commission recommendation that Elmhurst Drive not be closed at its intersection with Briggsmore Ave.
- ACTION: Res. of Int. 362 (1325-S.P.) adopted (Dunlap/Siefkin, unan. - Mensinger, absent) setting February 9, 1976 at 7:40 P.M. for hearing on closure. (Clerk to handle)
14. Hearing on amendment to Section 24-3-9 of zoning map to rezone from P-D(99) to a new P-D to allow construction of a neighborhood shopping center at the southeast corner of Briggsmore and Lakewood. (Horn Construction Co.) 7:40 P.M.
- ACTION: Ord. No. 1489-C.S. introduced (Dunlap/Kullijian, unan. - Mensinger, absent) rezoning area. (Clerk to handle)
- Res. 76-46 adopted (Dunlap/Kullijian, unan. - Mensinger, absent) approving development plan. (Planning to handle)
- Res. 76-47 adopted (Dunlap/Kullijian, unan. - Mensinger, absent) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)
15. Matters for the good of the community. 7:45 P.M.  
(These may be presented by interested persons in the audience)
- ACTION: Dr. Valentine spoke about the lack of sidewalks in the area of the Junior College; the potential cost of a senior citizen's building; the time of traffic signals at Carver and Orangeburg; and discriminating against businesses not in the downtown core as far as the mill tax is concerned. No action was taken by the Council.

#### NEW BUSINESS

#### CONSENT

16. Consider authorizing City Manager to sign a general natural gas extension and service agreement with Pacific Gas & Electric Co. for gas service to Fire Station #4 at Blue Gum Avenue.  
(This is a 3-year agreement to purchase all natural gas service from P. G. & E. Co. for operating a water heater, space heater and standby generator at Fire Station #4. P. G. & E. is extending a gas main 315' at no charge to City. The 3-year agreement will allow time to recover their cost. Resolution authorizing City Manager to sign agreement needed)
- ACTION: Res. 76-48 adopted approving agreement. (Clerk to handle)

CONSENT

17. Report of Superintendent of Streets on the cost of alley resurfacing at the locations listed below:  
(5 resolutions setting 7:30 P.M. on February 9, 1976 for hearings needed. Contract costs listed below with properties. Funds budgeted in Account No. 5301-41-321, Alley Improvement)

BLOCK 6064

- (a) Billy J. & S. Shirley A. Low, 518 Balboa Way, Lot 1 - \$131.50.
- (b) E. & Esthermae Soper, 345 LaLoma, Lot 2 - \$123.95.
- (c) James R. & Barbara Lugo, 3405 Polaris Street, Lot 3 - \$123.95.
- (d) Richard R. & Molly Navarro, 500 Balboa Way, Lot 4 - \$123.95.
- (e) Charles F. & Iiah Rose, 444 Balboa Way, Lot 5 - \$123.95.
- (f) Norval A. & Lillian M. Pimentel, 438 Balboa Way, Lot 6 - \$123.95.
- (g) J. F. Chronister, 432 Balboa Way, Lot 7 - \$123.95.
- (h) Helen L. Burdt, 426 Balboa Way, Lot 8 - \$123.95.
- (i) Laurence H. & Glema DeWitt, 420 Balboa Way, Lot 9 - \$123.95.
- (j) Nancy N. Terrizzi, 421 Coronado Way, Lot 10 - \$123.95.
- (k) Samuel Jacobs, 427 Coronado Way, Lot 11 - \$123.95.
- (l) Christina Van Ryn, 433 Coronado Way, Lot 12 - \$123.95.
- (m) Joseph & Glenis E. Gornik, 439 Coronado Way, Lot 13 - \$123.95.
- (n) Leo W. & Janene M. Habers, 445 Coronado Way, Lot 14 - \$123.95.
- (o) Wallace W. & Marie Freeman, P.O. Box 32, Modesto, Lot 15 - \$123.95.
- (p) Kermit E. & Moscelene Patterson, 507 Coronado Way, Lot 16 - \$123.95.
- (q) Jennie Quistini, 716 Rose Ave., Lot 17 - \$123.95.
- (r) Nohammed H. & Hayerah A. Zahraie, 103 Niavaran St., Shemirar, Tehran Iran, Lot 18 - \$131.70.

ACTION: Res. 76-49 adopted setting hearings. (P/W to handle)

BLOCK 6620

- (a) Tom J. Barbara Keyes, 2318 Rivera Drive, Lot 7 - \$86.83.
- (b) Gerald T. & Glenda L. Croft, 2314 Rivera Drive, Lot 8 - \$170.01.
- (c) A. S. & Josephine Mutoza, 2310 Rivera Drive, Lot 9 - \$136.00.
- (d) Audrey Olsen, 402 Melrose Ave., Lot 10 - \$115.23.
- (e) Grant L. & Pat Anderson, 2302 Rivera Drive, Lot 11 - \$115.23.
- (f) Leslie D. & Judy L. Barnett, 2214 Rivera Drive, Lot 12 - \$115.23.
- (g) Armand L. & Mary J. Derrick, 319 W. Sonoma, Eureka, CA, Lot 13 - \$115.23.
- (h) Arvy W. Brown, 2206 Rivera Drive, Lot 14 - \$115.23.
- (i) Clayton M. & Nellie Eckles, 1305 Bowen Ave., Lot 15 - \$164.91.

CONSENT

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

BLOCK 6620

- (j) Manuel & Sara R. Salazar, 2201 Tully Road, Lot 16 - \$132.23.
- (k) Morton C. & Mary J. Banks, 2205 Tully Road, Lot 17 - \$120.90.
- (l) Andrew J. Panetto, 2209 Tully Road, Lot 18 - \$120.90.
- (m) Herbert W. & Virginia M. Aspinall, 2213 Tully Road, Lot 19 - \$120.90.
- (n) Vernon James & Beverly G. Chase, 2301 Tully Road, Lot 20 - \$120.90.
- (o) Byron F. & Charlotte L. Plagg, 2305 Tully Road, Lot 21 - \$120.90.
- (p) Wayne E. Sargent, 2309 Tully Road, Lot 22 - \$120.90.
- (q) Stewart L. & Sherron Blocker, 2313 Tully Road, Lot 23 - \$120.90.
- (r) Milton Q. & Loydean Fair, 2317 Tully Road, Lot 24 - \$150.36.
- (s) Thomas H. & Beverly J. Sawyer, 1302 Mount Vernon, Lot 25 - \$275.10.
- (t) David G. & Irene C. Beckwith, 1306 Mount Vernon, Lot 26 - \$251.69.

ACTION: Res. 76-50 adopted setting hearings. (P/W to handle)

BLOCK 6703

- (a) William Ernest & Rose Nunes, 1209 Bispo Drive, Lot 1 - \$128.87.
- (b) Marvin & Beulah K. Lowe, 2005 Monticello Ave., Lot 2 - \$120.31.
- (c) William E. & Evelyn E. Riddle, 2009 Monticello Ave., Lot 3 - \$120.31.
- (d) James A. & Jane Casey, 2013 Monticello Ave., Lot 4 - \$120.31.
- (e) Herbert A. & Noma Dellis, 2017 Monticello Ave., Lot 5 - \$120.31.
- (f) Elizabeth Price, 2101 Monticello Ave., Lot 6 - \$120.31.
- (g) Thomas H. & Phyllis J. Threlfall, 1140 Mt. Vernon, Lot 7 - \$120.31.
- (h) Elizabeth Brenda & Marguerite E. Brenda, 1210 Adel Street, Lot 8 - \$130.27.
- (i) Dorothy L. Machado, 1216 Adel Street, Lot 9 - \$128.87.
- (j) Earl & Marjorie Rathbun, 2324 Redwood Road, Ceres, Lot 10 - \$120.31.
- (k) Richard N. Pacheco, 2102 Winning Ave., Lot 11 - \$120.31.
- (l) Robert D. & Mary McCabe, 2018 Winning Ave., Lot 12 - \$120.31.
- (m) Thomas S. & Clem E. Taylor, 2208 O'Farrell Ave., Lot 13 - \$120.31.
- (n) James A. & Zae Axton, 2010 Winning Ave., Lot 14 - \$120.31.
- (o) Fred A. & Marjorie Funari, 2006 Winning Ave., Lot 15 - \$120.31.
- (p) Jerry & Debbie Albino, 1217 Bispo Drive, Lot 16 - \$130.27.

ACTION: Res. 76-51 adopted setting hearings. (P/W to handle)

CONSENT

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

BLOCK 6728

- (a) John D. & Mary Jo Silva, 2318 Monticello Ave., Lot 10 - \$262.27.
- (b) Thomas H. and Phyllis Threlfall, 1140 Mount Vernon Dr., Lot 11 - \$113.94.
- (c) Rosemary B. Miller, 1136 Mount Vernon Drive, Lot 12 - \$106.27.
- (d) Max L. & Joyce R. LaMunyon, 1132 Mount Vernon Dr., Lot 13 - \$120.20.
- (e) Forrest S. & Ellen N. Blakemore, 2317 Monte Verde Ave., Lot 14 - \$270.44.

ACTION: Res. 76-52 adopted setting hearings. (P/W to handle)

BLOCK 6918

- (a) Benny R. & Barbara A. Cagle, 2212 Jasmin Ave., Lot 1 - \$136.18.
- (b) Ivan C. & Ruby C. Beard, 320 Ryan Ave., Lot 2 - \$120.18.
- (c) Donna C. Ford, 400 Ryan Ave., Lot 3 - \$120.18.
- (d) Wayne E. & Rosalie K. Schmierer, 404 Ryan Ave., Lot 4 - \$120.18.
- (e) Kenneth A. Raven, 408 Ryan Ave., Lot 5 - \$120.18.
- (f) Sandra L. Rossi, 3324 Stenbridge Ave., Lot 6 - \$120.18.
- (g) Glen R. & Sherrellyn L. Wood, 416 Ryan Ave., Lot 7 - \$120.18.
- (h) Harrel W. & Ida Bellf Moody, 420 Ryan Ave., Lot 8 - \$124.19.
- (i) Eliza Fernandes, 500 Ryan Ave., Lot 9 - \$134.28.
- (j) Fred J. & Freda E. Kraft, 504 Ryan Ave., Lot 10 - \$134.00.
- (k) Gale D. & Gloria J. Haldeman, 508 Ryan Ave., Lot 11 - \$134.00.
- (l) Marvin C. & Reda Harper, 512 Ryan Ave., Lot 12 - \$134.00.
- (m) Joy G. Dibb, 2313 Dana Lane, Lot 13 - \$144.74.
- (n) Merze Elizabeth O'Bar, 517 Charles Ave., Lot 14 - \$140.21.
- (o) Courtland E. & Fannie V. Shetley, 513 Charles Ave., Lot 15 - \$134.00.
- (p) Bert L. Jones, 509 Charles Ave., Lot 16 - \$134.00.
- (q) Marian R. Lichty, 505 Charles Ave., Lot 17 - \$134.00.
- (r) Robert C. & Jouse C. Hansen, 501 Charles, Lot 18 - \$138.81.
- (s) Vernon F. & Pearl M. Costa, 421 Charles Ave., Lot 19 - \$119.66.
- (t) Kenneth H. & Kiyoko Sievers, 417 Charles Ave., Lot 20 - \$120.18.
- (u) Maude I. Schaffer, 413 Charles Ave., Lot 21 - \$120.18.
- (v) Joseph A. & Rosalind S. Swanson, 409 Charles Ave., Lot 22 - \$120.18.
- (w) Troy M. & Betty A. Lafferty, 405 Charles Ave., Lot 23 - \$120.18.

CONSENT

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

BLOCK 6918

- (x) Mary B. Lickey, 401 Charles Ave., Lot 24 - \$120.18.
- (y) Claire T. McGrath, 319 Charles Ave., Lot 25 - \$120.18.
- (z) Milton D. Atkins, 315 Charles Ave., Lot 26 - \$140.71.

ACTION: Res. 76-53 adopted setting hearings. (P/W to handle)

CONSENT

18. Extension of First Year HCDA Program to June 30, 1976.  
(Motion approving extension and authorizing staff to request HUD approval needed)

ACTION: By motion, extension approved and staff authorized to request HUD approval. (Planning to handle)

REPORTS

CONSENT

19. Presentation of financial statement for December 1975.  
(Copies of report will be presented at meeting. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

20. Resolution recommending to the City Council the appointment of Fleeta Raines to the Board of Zoning Adjustment as a representative of the Planning Commission for one year, her term to expire December 31, 1976.  
(Resolution needed)

ACTION: Res. 76-54 adopted reappointing Fleeta Raines for a term ending December 31, 1976. (Clerk to handle)

APPROPRIATION TRANSFER

CONSENT

21. Consider approval of appropriation transfer of \$6,000 from the General Fund, General Reserve, to Services Professional & Other in the City Manager's budget (Account 235-8-101) to provide funds for the services of E. Dean Price, Attorney at Law, in connection with the John F. Miller Personnel Commission hearing.  
(Resolution approving appropriation transfer needed)

ACTION: Res. 76-55 adopted approving appropriation transfer of \$6,000 from Account 60-101 to Account 235-8-101. (Finance to handle)

MISCELLANEOUS

22. Legislation.

ACTION: By motion (Dunlap/Kullijian, unan.) SB 1294 opposed.

By motion (Elliott/Dunlap, unan.) AB 331 opposed. (C/Mgr to handle)

23. Appointments.

CONSENT

(a) Modesto Youth Commission.

ACTION: Res. 76-56 adopted appointing John Dodge (Central Catholic); Julie Carlisle (Modesto High); Janet Vogelzang, replacing Rock Griffin, (Davis); and reappointing Cheril Ebricht (Beyer High) as members of the Modesto Youth Commission for terms ending December 1, 1976. (P & R to handle)

(b) Others.

ACTION: Res. 76-57 adopted (Siefkin/Newton unan. - Mensinger, absent) appointing Carol Davis as a member of the Board of Zoning Adjustment for a term ending January 1, 1980 to replace Mary Johnson.

Res. 76-58 adopted (Siefkin/Newton, unan. - Mensinger, absent) appointing Larry Badley as a member of the Human Rights Commission for a term ending May 1, 1979 to replace James Forbes.

Res. 76-59 adopted (Siefkin/Newton, unan. - Mensinger, absent) reappointing Colleen Bare as a member of the Culture Commission for a term ending January 1, 1980.

Res. 76-60 adopted (Siefkin/Newton unan. - Mensinger, absent) reappointing Stanley Farrow as a member of the Personnel Commission for a term ending January 1, 1980.

(Siefkin/Newton, unan. - Mensinger, absent)  
Res. 76-61 adopted/appointing David Kamrar (replacing Wm. Hawley) for a term ending March 1, 1979 and Myra Steward (replacing Jan Nelson) for a term ending March 1, 1978 as members of the Downtown Improvement District Advisory Board. (Clerk to handle)

24. Matters too late for the agenda.

ACTION: Res. 76-62 adopted (Dunlap/Siefkin, unan. - Mensinger, absent) authorizing Parks & Recreation Department to enter Moose Park in California Parks and Recreation Society Environmental Awards Program for 1975. (P & R to handle)

Adjournment at 9:00 P.M.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 19, 1976 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Newton, Siefkin,  
Maor Davies

Absent: Mensinger

Pledge of allegiance to the Flag

Invocation by Reverend Donald Weston, St. John's Chapel of the Valley

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 9, 10, 11, 12,  
Item 19 removed from consent 13, 14, 15, 16, 17, 18, 20, 21,  
Newton/Kullijian, unan. - Mensinger, 23a, 23b  
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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of January 12, 1976,  
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Consider acceptance of Lang Enterprise's contract for replacing the wet deck surface on the TMA-90 cooling tower located at the Police Department.  
(All work under this contract has been completed to the Police Department's satisfaction. It is in order to accept the work as complete and record a notice of completion. Final cost \$3,504. Funds are budgeted.)

ACTION: Res. 76-63 adopted accepting contract. (Clerk to handle)

CONSENT

3. Consider bids for automotive equipment.  
(Griswold-Wight is lowest bidder meeting specifications for furnishing one standard sized sedan for \$4,120.67 (Item #1). Snider Motors is the lowest bidder meeting specifications (using the alternate 360 CID motor) for furnishing three general government sedans at \$12,858.20. (Item #2), Memo with agenda. Resolution awarding Item 1 to Griswold-Wight and resolution awarding Item #2 to Snider Motors needed. Estimated cost \$16,978.87. Funds are budgeted)

ACTION: Res. 76-64 adopted awarding Item 1 to Griswold & Wight.

Res. 76-65 adopted awarding Item 2 to Snider Motors. (Finance to handle)

CONSENT

4. Consider approval of plans and specifications and call for bids for renovation of entry gate and surfacing of a portion of the corporation yard.  
(Suggested bid opening date February 3, 1976 at 11:00 A.M. This project has been planned to allow the entry gate to be set back and to surface the southwest portion of the corporation yard. Resolution approving bid call needed. Estimated cost \$18,850 (\$17,350 construction; \$1,500 Engr.) Funds are budgeted)

ACTION: Res. 76-66 adopted approving plans, specifications and bid call.  
(Clerk to handle)

HEARINGS

5. Hearings on cost of construction of sidewalk and/or curb and gutter at the following locations: 4:00 P.M.

- (a) Curb along La Loma Ave. at 215 La Loma Ave., Block 204.  
(Richard W. and Carol E. Beall - \$1,390.00)

ACTION: Res. 76-67 adopted (Siefkin/Dunlap, unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (b) Curb and sidewalk at 1227 Melrose Ave., a portion of Block 1126. (Ila Cannizzaro - \$770.00)

ACTION: Res. 76-68 adopted (Siefkin/Dunlap, unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (c) Sidewalk along Strivens Ave. at 2826 Brenner Way, Lot 1 of Block 7158. (Frank D. and Kathleen R. Fields - \$145.00)

ACTION: Res. 76-69 adopted (Siefkin/Dunlap, unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (d) Sidewalk along Strivens Ave. at 2820 Brenner Way, Lot 12 of Block 7159. (Mary D. Fitz - \$201.00)  
(Paid - drop from agenda)

DROPPED

- (e) Curb along Las Palmas Ave. at 402 Las Palmas Ave., a portion of Block 2027. (Agnes G. Long and Donaldeen L. Cutler - \$260.00)  
(Paid - drop from agenda)

DROPPED

- (f) Curb and sidewalk at 2712 McAdoo Ave., Lot 16 of Block 7252.  
(Ernest J. Pombo - \$385.00)

ACTION: Res. 76-70 adopted (Siefkin/Dunlap, unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (g) Curb and sidewalk at 2413 Coffee Road, a portion of Block 12937. (Arlie and Hope Ralls - \$810.00)  
(Paid - drop from agenda)

DROPPED

5. Hearings on cost of construction of sidewalk, continued 4:00 P.M.

(h) Sidewalk along Strivens Ave. at 2805 Earl Street, Lot 14 of Block 6349. (Richard J. and Shirley A. Shanahan - \$357.00)

ACTION: Res. 76-71 adopted (Siefkin/Dunlap, unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(i) Curb and sidewalk along Miller Ave. at 147 Phoenix Avenue, Lot 9 of Block 2196. (Maggie A. Walker - \$1,108.70)  
(Recommend payment over a period of ten years)

ACTION: Res. 76-72 adopted (Siefkin/Dunlap, unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection over a period of ten years. (Finance to handle)

(j) Curb at 404 Las Palmas Ave., a portion of Block 2027. (Alta E. Williford - \$360.00)

ACTION: Res. 76-73 adopted (Siefkin/Dunlap, unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(k) Curb and sidewalk at 2616 McAdoo Ave., Lot 12 of Block 7252. (Grady Lee and Jane Estelle Wilson - \$385.00)  
(Recommend payment over a period of eight years)

ACTION: Res. 76-74 adopted (Siefkin/Dunlap, unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection over a period of eight years. (Finance to handle)

6. Hearing on amendment to Chapter 2 of Title X of the Municipal Code pertaining to Home Occupation Permits for the severely handicapped. 4:05 P.M.

ACTION: Ord. No. 1490-C.S. introduced (Kullijian/Newton, unan. - Mensinger, absent) amending Chapter 2 of Title X of Municipal Code. (Clerk to handle)

7. Hearing on amendments to the Municipal Code relative to amusement machine centers. 4:10 P.M.

ACTION: Ord. No. 1491-C.S. introduced (Dunlap/Siefkin, maj. - Kullijian, no - Mensinger, absent) amending Title IV of Code to provide for amusement machine centers.

Ord. No. 1492-C.S. introduced (Dunlap/Siefkin, maj. - Kullijian, no - Mensinger, absent) amending Title X of Code to provide for amusement machine centers. (Clerk to handle)

Res. 76-75 adopted (Dunlap/Siefkin, maj. - Kullijian, no - Mensinger, absent) approving policy for amusement machine centers per Planning Commission recommendation plus memo of Director of Planning & Community Development dated January 15, 1976. (Planning to handle)

By motion (Siefkin/Elliott, maj. - Kullijian and Newton, no) provision for maximum of 8 amusement machines to be included in above ordinances. (C/Atty to handle)

8. Matters for the good of the community. 4:15 P.M.  
(These may be presented by interested persons in the audience)

ACTION: Reverend Donald Weston urged that appointment of a Police Chief be made from within the ranks of the Police Department.

#### ORDINANCES

##### CONSENT

9. Final adoption of Ordinance No. 1489-C.S. amending Section 24-3-9 of the zoning map. (Horn Construction)

ACTION: By motion, Ord. No. 1489-C.S. adopted. (Clerk to handle)

Res. 76-76 adopted amending Res. 76-46 (approval of development plan for P-D(135), Horn Construction) to require, prior to the issuance of a building permit, dedication of an easement and construction of a bus shelter on Lakewood frontage if bus service is available. (Planning to handle)

#### NEW BUSINESS

##### CONSENT

10. Consider request for sewer service to properties at 1512 Queens, 1516 Queens and 1520 Queens, located on the east side of Queens north of Coolidge Avenue.  
(Property owners Glenn R. and Charlotte Sparks have signed an agreement to annex when requested to do so by City. The properties are not contiguous to the City; however, a sewer main exists to serve them. Three resolutions approving three agreements needed)

ACTION: Res. 76-77 adopted approving agreement (1512 Queens)

Res. 76-78 adopted approving agreement (1516 Queens)

Res. 76-79 adopted approving agreement (1520 Queens). (P/W to handle)

##### CONSENT

11. Consider acceptance of deed for right of way on McHenry Ave.  
(Memo with agenda. Resolution authorizing acceptance of deed needed)

ACTION: Res. 76-80 adopted accepting deed. (Clerk to handle)

##### CONSENT

12. Consider three year lease with United Air Lines setting forth rates and charges for facilities used and landing fees at Modesto City-County Airport/ Harry Sham Field.  
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 76-81 adopted approving agreement. (P/W to handle)

##### CONSENT

13. Consider approval of final map of Lincoln Square No. 4 Subdivision of the City of Modesto and authorizing agreement with subdividers as required by Section 4-4-.604(c) of the Modesto Municipal Code.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the east side of Lincoln Avenue north of Yosemite Blvd. It contains 19.26 acres. Resolution approving final map needed)

ACTION: Res. 76-82 adopted approving final map. (Clerk to handle)

CONSENT

14. Request from Columbia Pictures to photograph scenes for motion picture "Nickelodeon," in the McClure house in Dry Creek Park site. (Memo with agenda. Motion approving concept and directing staff to prepare necessary documents needed)

ACTION: By motion, concept approved and staff directed to prepare necessary documents. (P & R to handle)

CONSENT

15. Consider acceptance of improvements in Wycliffe Heights No. 1 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods. (Wycliffe Heights No. 1 Subdivision is located on the north side of Scenic Drive east of Lakewood Avenue. Resolution accepting improvements needed)

ACTION: Res. 76-83 adopted accepting improvements. (Clerk to handle)

CONSENT

16. Consider acceptance of improvements in Wesson Estates No. 2 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods. (This subdivision is located east of Tully Road north of Hetch Hetchy right of way. All improvements have been completed to the satisfaction of the Public Works Department and all fees paid. Resolution accepting improvements needed)

ACTION: Res. 76-84 adopted accepting improvements. (Clerk to handle)

CONSENT

17. Consider acceptance of improvements in Eastridge No. 4 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods. (This subdivision is located east of Sonoma Avenue and north of Scenic Drive. All improvements have been completed to the satisfaction of the Public Works Department and all fees paid. Resolution accepting improvements needed)

ACTION: Res. 76-85 adopted accepting improvements. (Clerk to handle)

CONSENT

18. County's estimate of assessed values. (Memo with agenda. Resolution requesting County to provide City with estimate of assessed valuation of property within the City of the 1976-77 fiscal year needed)

ACTION: Res. 76-86 adopted requesting estimate. (Clerk to handle)

19. Consider authorizing installation of mid-block crosswalk on Neece Drive south of Tuolumne. (Memo with agenda. Mid-block crosswalk is being recommended to provide a designated crossing for golfers crossing between the Municipal Golf Course parking lot and clubhouse. Resolution authorizing installation of mid-block crosswalk needed. Estimated cost \$20.00. Funds are budgeted)

ACTION: Res. 76-87 adopted (Siefkin/Dublap, maj. - Elliott, no - Mensinger, absent) authorizing mid-block crosswalk. (P & T to handle)

CONSENT

20. Request by City Attorney to attend Labor Relations Conference in Los Angeles January 21 - 23, 1976.  
(This is the annual League of California Cities Labor Relations Conference. Motion authorizing attendance needed)

ACTION: By motion, attendance authorized.

APPROPRIATION TRANSFERS

CONSENT

21. Consider appropriation transfer to the maintenance account in the Airport budget.  
(Additional funds in the amount of \$3,000 are needed. Memo with agenda. Resolution approving appropriation transfer needed)

ACTION: Res. 76-88 adopted approving appropriation transfer of \$3,000 from Account 60-230 to Account 224-46-230. (Finance to handle)

MISCELLANEOUS

22. Legislation.

NONE

23. Appointments.

CONSENT

Resignation and appointment - Modesto Youth Commission

- (a) Resignation of Samee Roberts.  
(Resolution needed)

ACTION: Res. 76-89 adopted accepting resignation. (Clerk to handle)

CONSENT

- (b) Appointment of Lori Hammer to Modesto Youth Commission.  
(Memo with agenda. Resolution needed)

ACTION: Res. 76-90 adopted appointing Lori Hammer (replacing Samee Roberts) as a member of the Modesto Youth Commission for a term ending June 1976. (Clerk to handle)

- (c) Other

ACTION: Res. 76-91 adopted (Dunlap/Siefkin, unan. - Mensinger, absent) reappointing Robert Schmidt and Henry Kamps as members of the Farm-City Advisory Committee for terms ending May 1, 1979.  
(Clerk to handle)

24. Matters too late for the agenda.

ACTION: Res. 76-92 adopted (Dunlap/Siefkin, unan. - Mensinger, absent) removing policy concerning Satellite Commercial Centers.  
(Planning to handle)

By motion (Newton/Kullijian, unan.) staff directed to send letter to appropriate agency endorsing joint powers application by 7 counties to be designated as Health Systems Agency for the area.  
(C/Mgr to handle)

24. Matters too late for the agenda, continued.

ACTION: Councilmember Kullijian requested information on the status of the proposal for the establishment of a Farmers Market.

Councilmember Kullijian presented a statement to the effect that due to his ownership of property at 12th and L Streets he has chosen to remove himself at this time from decision or policy setting relative to the present downtown plan.

Councilmember Dunlap requested that consideration of the auditorium portion of the downtown plan be scheduled to allow him to be present.

Adjournment at 5:40 P.M.

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

Modesto City Council  
Special Meeting  
January 24, 1976

The Council of the City of Modesto met in special meeting at 9:30 a.m. to begin its study of the Downtown Plan.

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

Following a tour of the Downtown the Council reached the following tentative conclusions:

Heaviest commercial uses should be concentrated around the J Street and 10th Street corridors.

BZA plot plan review should be required for commercial uses in the transitional residential area south of G Street

R-3 zoning should be retained on north side of Needham.

R-3 area north of Downey should be rezoned to office zoning.

North side of Jennie Street should be rezoned from C-1 to R-3.

Investigation should be made into rescinding that portion of the Code which exempts buildings existing before July 7, 1955 from most off-street parking requirements.

All employers should accept responsibility for providing parking or alternative means of commuting for their employees.

Concept of a joint transportation center/parking garage should be pursued.

Retain Burney as a through street, but not a truck route. It should be two lanes, one-way north between G and Scenic.

Make Downey four lanes, two-way with on-street parking on the north side. Staff to look into methods of increasing the right of way on the south side of Downey.

The meeting was adjourned to January 26, 1976 at 1:00 p.m.



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W. T. CHYNOWETH, City Clerk

Modesto City Council  
Adjourned Special Meeting  
January 26, 1976

The Council of the City of Modesto met in Adjourned Special Meeting at 1:00 p.m. for further consideration of the Downtown Plan.

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

Absent: Councilmembers: Kullijian and Newton

The Council inspected the Black, Loomis Floral, Ward and Hotel Covell buildings and then returned to City Hall for a discussion of the Dangerous Building Code.

The following tentative conclusions were reached:

More than one building should be allowed to be serviced by a single water line off the alley.

The Dangerous Building Code should be continued in the first 25 block area and all basements in the City should be immediately inspected and the D.B.C. enforced.

Staff should report to Council on alternatives to sprinkler systems in basements.

Staff should study means by which Board of Appeals actions could be made appealable to Council.

The meeting was adjourned to February 2, 1976 at 12:30 p.m.



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W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JANUARY 26, 1976 AT 7:30 P.M.

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

Pledge of allegiance to the Flag.

Invocation by Reverend Ben Jennings, Prescott Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 14,  
Item 16 dropped from agenda 18, 19, 20, 21, 22, 23, 24, 25,  
Dunlap/Siefkin, unan. 26, 27, 28, 29

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of January 19, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request of Senior Opportunity Service Program for permission to paint Bicentennial markings on Eye Street in connection with a parade to be held February 16, 1976.

ACTION: By motion (Mensinger/Siefkin, unan.) request granted with understanding that applicants will remove paint after parade. (P & T to handle)

BIDS

CONSENT

3. Consider approval of plans and specifications and call for bids for construction of Phase I at Coleman F. Brown Park.  
(Bid opening date February 10, 1976, at 11:00 A.M. The work in this phase that has been budgeted includes the grading, concrete walks, slab area, and construction of a half width street. Resolution needed. Funds are budgeted)

ACTION: Res. 76-93 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

4. Consider acceptance of Tri County Builders, Inc.'s contract for construction of odor control Addition to Emerald Avenue lift station.  
(Original contract \$8,259. All work has been completed to the satisfaction of the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Additional funds are needed to provide for sandblasting and prime coating prior to painting of the building and to provide for inspection charges. Resolution accepting work as complete and resolution approving appropriation transfer of \$1,000 needed. Funds are budgeted)

ACTION: Res. 76-94 adopted accepting contract. (Clerk to handle)  
Res. 76-95 adopted approving appropriation transfer of \$1,000 from Account 60-212 to Account 6610-212. (Finance to handle)

**CONSENT**

5. Consider acceptance of The Flintkote Company's contract for overlay of runway and taxiway at Modesto City-County Airport/Harry Sham Field. (Original contract \$284,450. All work has been completed to the satisfaction of the FAA, State Division of Aeronautics, and the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution needed. Final contract cost, \$277,982.98. Funds are budgeted)

ACTION: Res. 76-96 adopted accepting contract. (Clerk to handle)

**CONSENT**

6. Consider approval of plans and specifications and call for bids for construction of waterlines in Sylvan Meadows East No. 2. (Suggested bid opening February 10, 1976 at 11:10 A.M. Cost and Revenue: Construction, \$34,805; Connection charges, \$14,080; Net Revenue, \$1,114. Resolution approving bid call needed. Estimated cost \$34,805 (\$23,065, Const.; \$11,200 Engr. & Matls.) Funds are budgeted)

ACTION: Res. 76-97 adopted approving plans, specifications and bid call. (Clerk to handle)

**CONSENT**

7. Consider approval of plans and specifications and call for bids for construction of Phase I at Chrysler Park. (Bid opening February 17, 1976 at 11:00 A.M. Phase I has been budgeted to include construction of grading, concrete slabs and sidewalks, and a half width street. Estimated cost \$70,000 (\$67,000 const., \$3,000 Engr.) Funds are budgeted)

ACTION: Res. 76-98 adopted approving plans, specifications and bid call. (Clerk to handle)

**CONSENT**

8. Consider award of contract for construction of waterlines in Strathmore Village No. 1. (Bids were opened January 20, 1976. The low bid of \$9,378 submitted by Joe Martin, which is 7% below the Engineer's estimate, is considered acceptable. It is recommended that the contract be awarded to him. Resolution needed. Funds are budgeted)

ACTION: Res. 76-99 adopted awarding contract to Joe Martin. (P/W to handle)

HEARINGS

9. Hearings on requirement to construct sidewalk and/or curb and gutter at the following locations: 7:30 P.M.
- (a) Sidewalk at 2505 Strivens Avenue, Lot 7 of Block 6349. (Charles L. Hopkins)
  - (b) Sidewalk along College Avenue at 1046 Yale Avenue, Lot 10 and the north 40 feet of Block 812. (Berdina Watson)
  - (c) Sidewalk along College Avenue at 1047 Harvard Avenue, Lot 8 and the south 30 feet of Lot 9 of Block 812. (Lillian Cunningham)
  - (d) Sidewalk at 405 Wilson Avenue, the south 45 feet of Lot 5 and the north 15 feet of Lot 6 of Block 2027. (Jean J. Brill)

Dropped as work has been done.

- (e) Curb and sidewalk at 408 Wilson Avenue, a portion of Lot 36 of Block 2028. (Alfred A. Dunson)

9. Hearings on requirement to construct sidewalk and/or curb and gutter at the following locations, continued

7:30 P.M.

- (f) Sidewalk along Wilson Avenue at 401 Wilson Avenue, the south 70 feet of Lot 7 of Block 2027. (Helen L. Lindgren)
- (g) Curb and sidewalk at 413 Wilson Avenue, the north 60 feet of Lot 2 of Block 2027. (Clarenda Nunes)  
Dropped as work has been done.
- (h) Sidewalk along Wilson Avenue at 1005 Roble Avenue, a portion of Lot 36 of Block 2028. (Michael J. Rose)
- (i) Curb along Las Palmas Avenue at 905 Roble Avenue, the south 60 feet of Lot 8 of Block 2. (Dennis C. Thompson)
- (j) Sidewalk along Paradise Avenue at 213 Paradise Avenue, Lot 13 and 14 of Block 340. (Luther Damir)
- (k) Sidewalk along Paradise Avenue at 315 Paradise Avenue, Lot 6 of Block 343. (Tommy Evarrtt)
- (l) Sidewalk along College Avenue at 1040 Hawthorne Avenue, Lot 19 of Block 6711. (James H. Dandy)
- (m) Sidewalk along College Avenue at 1101 Woodman Way, Lot 1 of Block 6182. (Erman Pilotti)
- (n) Curb at 411 Sutter Avenue, Lot 42 and 43 of Block 336. (Charles D. Bell)
- (o) Curb at 331 Sutter Avenue, Lot 19 and 20 of Block 353. (Paul G. Beilke)
- (p) Curb at 335 Sutter Ave., Lots 21-22, Block 353. (Thelma N. Billerman)
- (q) Curb at 323 Sutter Ave., Lots 15-16, Block 353, (Thelma N. Billerman)
- (r) Curb and sidewalk at 319 Sutter Ave., Lots 13-14, Block 353. (Edna Ford)
- (s) Curb at 445 Sutter Ave., Lots 25-26-27, Block 336. (Ardythe B. Harms)
- (t) Curb along Sutter Ave. at 1416 Western Way, Lots, 44-45-46-47-48 of Block 336. (Shirley Hendrix)
- (u) Curb along Sutter Ave. and along Tuolumne Blvd. at 1418 Tuolumne Blvd., Lot 10, Block 353. (Robert C. Holloway)
- (v) Curb and sidewalk along Sutter Ave. at 400 Paradise Rd., portion of Block 3094. (Harold A. Knowles)
- (w) Curb and sidewalk at 327 Sutter Ave., Lot 17 and 18 of Block 353. (Ellen E. Sprague)
- (x) Curb at 311 Sutter Ave., Lot 9 of Block 353. (Peter Zimzores)

ACTION: Res. 76-100 adopted (Dunlap/Kullijian, unan.) ordering work done (with exceptions of d and g). (P/W to handle)

10. Hearings on cost of construction of alley improvements  
at the following locations:

7:35 P.M.

BLOCK 355

(a) John D. & Mary Joe Silva, 2318 Monticello Ave., Lot 1-2, \$107.10.

ACTION: Res. 76-101 adopted (Kullijian/Mensing, unan.) confirming report, assessing costs and directing method of collection.  
(Finance to handle)

(b) Hershel S. & Hazel C. Sypolt, 407 Leon Ave., Lots 3-4 - \$107.10.  
(Paid - drop from agenda)

DROPPED

(c) Neil H. & Nona B. McKinnon, 409 Leon Ave., Lots 5-6 - \$107.10.  
(Paid - drop from agenda)

DROPPED

(d) Russell L. Miller, 413 Leon Ave., Lots 7-8 - \$107.10.

ACTION: Res. 76-102 adopted (Kullijian/Mensing, unan.) confirming report, assessing costs and directing method of collection.  
(Finance to handle)

(e) Eva A. Waring, 417 Leon Ave., Lots 9-10 - \$107.10.

ACTION: Res. 76-103 adopted (Kullijian/Mensing, unan.) confirming report, assessing costs and directing method of collection.  
(Finance to handle)

(f) Donald Windorsky, 421 Leon Ave., Lots 11-12 - \$107.10.

ACTION: Res. 76-104 adopted (Kullijian/Mensing, unan.) confirming report, assessing costs and directing method of collection.  
(Finance to handle)

(g) Rosie L. Marlett, 425 Leon Ave., Lots 13-14 - \$107.10.

ACTION: Res. 76-105 adopted (Kullijian/Mensing, unan.) confirming report, assessing costs and directing method of collection.  
(Finance to handle)

(h) Virgil & Elma L. Burchett, 427 Leon Ave., Lots 15-16 - \$107.10.  
(Paid - drop from agenda)

DROPPED

(i) Robert & Madge Malone, 433 Leon Ave., Lots 17-18 - \$107.10.

ACTION: Res. 76-106 adopted (Kullijian/Mensing, unan.) confirming report, assessing costs and directing method of collection.  
(Finance to handle)

(j) Eva A. Carillo, 435 Leon Ave., Lots 19-20 - \$107.10.  
(Paid - drop from agenda)

DROPPED

(k) Clara Silva, 1200 Harris, Lots 21-22 - \$107.10.

ACTION: Res. 76-107 adopted (Kullijian/Mensing, unan.) confirming report, assessing costs and directing method of collection.  
(Finance to handle)

10. Hearings, cost of construction of alley improvements, continued  
7:35 P.M.

BLOCK 355

- (l) Stephen P. and Iva E. Stevens, 447 Leon, Lots 23-24 - \$107.10.  
(Paid - drop from agenda)

DROPPED

- (m) Frank H. & Edith Westwood, 1207 South Ave., Lots 25-26 - \$107.10.  
(Paid - drop from agenda)

DROPPED

- (n) Edward A. & Mary Buran, 442 Yosemite Ave., Lots 27-28 - \$107.10.  
(Paid - drop from agenda)

DROPPED

- (o) Alfred M. & Helen M. Hansen, 440 Yosemite Ave., Lots 29-30 - \$107.10  
(Paid - drop from agenda)

DROPPED

- (p) Larkin F. & Debbie Oliver, 434 Yosemite Ave., Lots 31-32 - \$107.10.  
(Paid - drop from agenda)

DROPPED

- (q) O. E. Malloy, 430 Yosemite Ave., Lots 33-34 - \$107.10.

ACTION: Res. 76-108 adopted (Kullijian/Mensinger, unan.) confirming report, assessing costs and directing method of collection.  
(Finance to handle)

- (r) Jay & Ruby L. Hatter, 426 Yosemite Ave., Lots 35-36 - \$107.10.

ACTION: Res. 76-109 adopted (Kullijian/Mensinger, unan.) confirming report, assessing costs and directing method of collection.  
(Finance to handle)

- (s) Donald Rex & Margaret M. Baker, 422 Yosemite Ave., Lots 37-38 - \$107.10.

ACTION: Res. 76-110 adopted (Kullijian/Mensinger, unan.) confirming report, assessing costs and directing method of collection.  
(Finance to handle)

- (t) Verna & Don M. Wallace, 418 Yosemite Ave., Lots 39-40 - \$107.10.  
(Paid - drop from agenda)

DROPPED

- (u) William C. & Mona V. Busby, 414 Yosemite Ave., Lots 41-42 - \$107.10.

ACTION: Res. 76-111 adopted (Kullijian/Mensinger, unan. ) confirming report, assessing costs and directing method of collection.  
(Finance to handle)

- (v) Harry N. Williams, 410 Yosemite Ave., Lots 43-44 - \$107.10.  
(Paid - drop from agenda)

DROPPED

10. Hearings cost of construction of alley improvements,  
continued

7:35 P.M.

BLOCK 355

(w) Salvador P. & Irene Gonzales, 406 Yosemite Ave., Lots 45-46 - \$107.10

ACTION: Res. 76-112 adopted (Kullijian/Mensing, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(x) Syble J. Hamlin, 402 Yosemite Ave., Lots 47-48 - \$107.10.

ACTION: Res. 76-113 adopted (Kullijian/Mensing, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 456

(Councilmember Mensinger was excused from consideration of Block 456 due to a conflict of interest)

(a) James A. Spoonmore, 447 N. Olive Ave., Lots 1-2, portion 3 - \$117.24. (Paid - drop from agenda)

DROPPED

(b) Mark W. & Lisa L. Meier, 439 N. Olive Ave., Lots 4, portion of 3-5 - \$107.47.

ACTION: Res. 76-114 adopted (Siefkin/Newton unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(c) William R. Mensinger, 435 N. Olive Ave., Lot 6 and portion of 5-7 - \$107.47.

ACTION: Res. 76-115 adopted (Siefkin/Newton, unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(d) Robert M. & Jane Disney, 429 N. Olive Ave., Lots 8-9 and portion of 7 - \$107.47.

ACTION: Res. 76-116 adopted (Siefkin/Newton, unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(e) Jack K. & Venus R. Rosevear, 425 N. Olive Ave., Lots 10-11 - \$97.70.

ACTION: Res. 76-117 adopted (Siefkin/Newton, unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(f) Adrian A. & F. Sue Lopez, 421 N. Olive Ave., Lots 12-13 - \$97.70.

ACTION: Res. 76-118 adopted (Siefkin/Newton, unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(g) Isabelle G. Fairchilds, 417 N. Olive Ave., Lots 14-15 - \$97.70.

ACTION: Res. 76-119 adopted (Siefkin/Newton, unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

10. Hearings, cost of construction of alley improvements, 7:35 P.M.  
continued.

BLOCK 456

(h) Wilson Harris, 415 N. Olive Ave., Lots 16-17 - \$97.70.

ACTION: Res. 76-120 adopted (Siefkin/Newton, unan. - Mensinger, absent)  
confirming report, assessing costs and directing method of collection  
(Finance to handle)

(i) Martin L. & Lynae M. Greenwood & Josephine Ruffino, 411 N. Olive  
Ave., Lots 18-19 - \$97.70.

ACTION: Res. 76-121 adopted (Siefkin/Newton, unan. - Mensinger, absent)  
confirming report, assessing costs and directing method of collection  
(Finance to handle)

(j) R. S. & Carol Kinzey, 407 N. Olive Ave., Lots 20-21 - \$240.87.

ACTION: Res. 76-122 adopted (Siefkin/Newton, unan. - Mensinger, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)

(k) Charles C. & Eva D. Forsyth, 400 Myrtle Ave., Lots 22-23 - \$94.36.

ACTION: Res. 76-123 adopted (Siefkin/Newton, unan. - Mensinger, absent)  
confirming report, assessing costs and directing method of collection  
(Finance to handle)

(l) Thomas K. & Pat Beard, 406 Myrtle Ave., Lots 24-25 - \$97.70.

ACTION: Res. 76-124 adopted (Siefkin/Newton unan. - Mensinger, absent)  
confirming report, assessing costs and directing method of collection  
(Finance to handle)

(m) Clarence T. & Mabel A. Johnson, 410 Myrtle Ave., Lots 26-27 and  
portion of Lot 28 - \$107.47.  
(Paid - drop from agenda)

DROPPED

(n) Myron & Geraldine M. Moyle, 416 Myrtle Ave., Lot 29 and portion  
of 28 and 30 - \$112.35.

ACTION: Res. 76-125 adopted (Siefkin/Newton, unan. - Mensinger, absent)  
confirming report, assessing costs and directing method of collection  
(Finance to handle)

(o) Marion H. & Gladys Peterson, 420 Myrtle Ave., Lot 31 and portion of  
30 and 32 - \$112.35.  
(Paid - drop from agenda)

DROPPED

(p) John C. & Viola Crouch, 430 Myrtle Ave., Lots 35-36 and portion of  
37 - \$127.01,

ACTION: Res. 76-126 adopted (Siefkin/Newton, unan. - Mensinger, absent)  
confirming report, assessing costs and directing method of collection  
(Finance to handle)

(q) Violet S. Leib, 424 Myrtle Ave., Lots 33-34 and portion of 32 -  
\$107.47.

ACTION: Res. 76-127 adopted (Siefkin/Newton, unan. - Mensinger, absent)  
confirming report, assessing costs and directing method of collection  
(Finance to handle)

10. Hearings, cost of construction of alley improvements,  
continued

7:35 P.M.

BLOCK 456

- (r) James N. & June B. Tate, 434 Myrtle Ave., Lots 38-39 and portion of Lot 37 - \$117.24.

ACTION: Res. 76-128 adopted (Siefkin/Newton, unan. - Mensinger, absent) confirming report, assessing costs and directing method of collection (Finance to handle)

- (s) Helen S. Swartz, 438 Myrtle Ave., Lot 40-41 - \$97.70.  
(Paid - drop from agenda)

DROPPED

- (t) Betty F. Schroder, 444 Myrtle Ave., Lots 42-43 - \$97.70.  
(Paid - drop from agenda)

DROPPED

- (u) George C. & Delila B. Duckworth, 1018 W. Morris Ave., Lots 44-45 - \$97.70.  
(Paid - drop from agenda)

DROPPED

BLOCK 587

- (a) James S. and Mary L. McLean, 518 Redwood Ave., Lots 1-2 - \$108.40.

ACTION: Res. 76-129 adopted (Dunlap/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (b) Rolly R. & Opal Beach, 145 Melrose St., Lots 3-4 - \$108.40.  
(Paid - drop from agenda)

DROPPED

- (c) Silvano & Martha J. Gelsomini, 531 Crows Landing Road, Lots 5-6, \$411.92.  
(Paid - drop from agenda)

DROPPED

- (d) Silvano & Martha J. Gelsomini, 531 Crows Landing Road, Lots 7-8 - \$108.40.

ACTION: Res. 76-130 adopted (Dunlap/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (e) Silvano & Martha J. Gelsomini, 531 Crows Landing Road, Lots 9-10 - \$108.40.

ACTION: Res. 76-131 adopted (Dunlap/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (f) Silvano & Martha J. Gelsomini, 531 Crows Landing Road, Lots 11-12 - \$249.32.

ACTION: Res. 76-132 adopted (Dunlap/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

10. Hearings, cost of construction of alley improvements, 7:35 P.M.  
continued

BLOCK 587

(g) Vito & Catherine Just, 509 Scenic Drive, Lots 13-14 - \$108.40.

ACTION: Res. 76-133 adopted (Dunlap/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(h) Florence A. Abel, 129 E. Helen Ave., Lots 15-16 - \$108.40.

ACTION: Res. 76-134 adopted (Dunlap/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(i) Florence A. Keir, 129 E. Helen Ave., Lots 17-18 - \$108.40.

ACTION: Res. 76-135 adopted (Dunlap/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(j) Theodore C. and Ora O. Hardie, 124 High St., Lots 19-20 - \$411.92.  
(Paid - drop from agenda)

DROPPED

(k) Gertrude E. Cox, 126 High Street, Lots 21-22 - \$108.40.

ACTION: Res. 76-136 adopted (Dunlap/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(l) Mae G. McClaskey, 145 Rocky Lane, Lots 23-24 - \$108.40.  
(Paid - drop from agenda)

DROPPED

(m) Brenda J. Moreno & Gary D. Fant, P. O. Box 2095, Lot 25 - \$54.20.

ACTION: Res. 76-137 adopted (Dunlap/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(n) Emilia C. Cavanna, 140 High Street, Lots 26-27 - \$108.40.

ACTION: Res. 76-138 adopted (Dunlap/Siefkin, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 832

(a) Robert & Judith L. Raingruber, 1044 Roseburg Ave., Lot 1 - \$121.20.

ACTION: Res. 76-139 adopted Siefkin/Mensingler, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(b) Tony & Elvera Nunes, 1128 College Ave., Lot 2, - \$135.34.

ACTION: Res. 76-140 adopted (Siefkin/Mensingler, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(c) Donald R. & Mary Ann Roe, 1124 College Ave., Lot 3 - \$135.34.

ACTION: Res. 76-141 adopted (Siefkin/Mensingler, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

10. Hearings, cost of construction of alley improvements,  
continued

7:35 P.M.

BLOCK 832

- (d) Alice R. Gallian, 1120 College Ave., Lot 4 - \$135.34.  
(Paid - drop from agenda)

DROPPED

- (e) Edward R. & Anne M. Herman, 1116 College Ave., Lot 5 - \$135.34.  
(Paid - drop from agenda)

DROPPED

- (f) Robert & Hila Coleman, 1112 College Avenue, Lot 6 - \$135.34.

ACTION: Res. 76-142 adopted (Siefkin/Mensinger, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (g) Jessie M. Paine, 1108 College Ave., Lot 7 - \$135.34.

ACTION: Res. 76-143 adopted (Siefkin/Mensinger, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (h) William A. Rose, 1308 Liberini Ct., Lot 8 - \$135.34.

ACTION: Res. 76-144 adopted (Siefkin/Mensinger, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (i) Jean A. & Joseph E. Bearden, 1033 Cecil Way, Lot 9 - \$142.21.

ACTION: Res. 76-145 adopted (Siefkin/Mensinger, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (j) Albert Henry & Genevieve Simi, 1131 Wellesley Ave., Lot 10-11 - \$256.52.  
(Paid - drop from agenda)

DROPPED

- (k) Donald S. & Rosemary A. Hawkins, 1125 Wellesley Ave., Lot 12 - \$135.34.

ACTION: Res. 76-146 adopted (Siefkin/Mensinger, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (l) James & Eileen H. Van Parks, 1121 Wellesley Ave., Lot 13, - \$135.34.  
(Paid - drop from agenda)

DROPPED

- (m) Frank I. & Marjorie Barmettlor, 1117 Wellesley Ave., Lot 14 - \$151.50.  
(Paid - drop from agenda)

DROPPED

- (n) Kenneth L. & Carol E. Anderson, 1111 Wellesley Ave., Lots 15-16 - \$237.35.

ACTION: Res. 76-147 adopted (Siefkin/Mensinger, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

10. Hearings, cost of construction of alley improvements, 7:35 P.M.  
continued

BLOCK 832

- (o) Lawrence M. & Aileen R. Jaffa, 1105 Wellesley Ave., Lot 17 - \$152.51.

ACTION: Res. 76-148 adopted (Siefkin/Mensinger, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (p) Manuel & Isabel G. Nino, 1029 Cecil Way, Lot 18 - \$142.21.

ACTION: Res. 76-149 adopted (Siefkin/Mensinger, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 5322

- (a) Guy G. & Alda V. Durr, 416 Olivos Way, Lot 10 - \$275.00.

ACTION: Res. 76-150 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (b) Joseph & Marie Dezzani, 1015 Arboleda Drive, Lot 11 - \$152.14.

ACTION: Res. 76-151 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (c) Azalea Yandella, 1019 Arboleda Drive, Lot 12, - \$142.38.  
(Paid - drop from agenda)

DROPPED

- (d) John F. & Artis Miller, 1023 Arboleda Drive, Lot 13 - \$142.38.

ACTION: Res. 76-152 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (e) May J. Crawford, 1027 Arboleda Drive, Lot 14 - \$142.38.

ACTION: Res. 76-153 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (f) Burley E. & Edna Dowers, 1031 Arboleda Drive, Lot 15 - \$142.38.

ACTION: Res. 76-154 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (g) James P. and Marie E. Patton, 1103 Arboleda Drive, Lot 16 - \$142.38.

ACTION: Res. 76-155 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (h) Jerry & Norma L. Peters, 1107 Arboleda Drive, Lot 17 - \$142.38.

ACTION: Res. 76-156 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

10. Hearings, cost of construction of alley improvements, 7:35 P.M.  
continued

BLOCK 5322

(i) Reuben L. & Ruth Sendejas, 1111 Arboleda Drive, Lot 18 - \$142.38.  
(Paid - drop from agenda)

DROPPED

(j) Larry C. & Judy F. Minor, 1115 Arboleda Drive, Lot 19 - \$142.38.

ACTION: Res. 76-157 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(k) Ray A. & Elsie F. Holton, 414 Los Palos Way, Lot 20, - \$142.38.

ACTION: Res. 76-158 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(l) Leo T. & Hilda M. Coons, 418 Los Palos Way, Lot 21 - \$139.51.

ACTION: Res. 76-159 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(m) Pete G. & Micaela Porras, 1114 Elm Avenue, Lot 22 - \$142.38.

ACTION: Res. 76-160 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(n) Ronald A. & Catherine A. Nelson, 1516 Crestview Drive, Lot 23 - \$142.38.

ACTION: Res. 76-161 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(o) Melvin O. Wilbourn, 1106 Elm Ave., Lot 24 - \$142.38.

ACTION: Res. 76-162 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

Staff directed to work with Mr. Wilbourn concerning damage to the fence at 1106 Elm. (P/W to handle)

(p) Loyd A. & Ida M. Ball, 1102 Elm Ave., Lot 25 - \$142.38.

ACTION: Res. 76-163 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(q) Manuel J. & Madelyn Amaral, 1030 Elm Ave., Lot 26 - \$142.38.

ACTION: Res. 76-164 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(r) Joseph & Alice Mora, 1026 Elm Ave., Lot 27 - \$142.38.

ACTION: Res. 76-165 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

10. Hearings, cost of construction of alley improvements, 7:35 P.M.  
continued

BLOCK 5322

(s) Ray & Jean Eddings, 1022 Elm Ave., Lot 28 - \$142.38.

ACTION: Res. 76-166 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(t) Elmer & Julia Norwood, 1018 Elm Ave., Lot 29 - \$142.38.

ACTION: Res. 76-167 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(u) Robert L. & Mary A. Tune, 1014 Elm Ave., Lot 30, - \$142.38.

ACTION: Res. 76-168 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(v) Juanita Jackson - 1010 Elm Ave., Lot 31 - \$142.38.

ACTION: Res. 76-169 adopted (Siefkin/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(w) Raymond & Evalyne P. Anderson, 1006 Elm Ave., Lot 32 - \$145.25.  
(Paid - drop from agenda)

DROPPED

11. Hearing on amendment to Section 15-3-9 of zoning 7:40 P.M.  
map to rezone from R-3 to P-D to permit construction  
of an office building at the northwest corner of  
Oakdale Road and Lancey Drive. (Brannan)

ACTION: Res. 76-170 adopted (Siefkin/Dunlap, maj. - Elliott, no) denying request for rezoning. (Planning to handle)

12. Hearing on amendment to Sections 23-3-9 and 26-3-9 7:45 P.M.  
of the zoning map to rezone P-D(110 to R-1, property  
located on the north side of Scenic east of Sonoma  
Ave. (Zagaris)

ACTION: Ord. No. 1493-C.S. introduced (Elliott/Kullijian, Unan.)  
(Clerk to handle)

Res. 76-171 adopted (Elliott/Kullijian, unan.) directing Director of Planning and Community Development to file notice re Environmental Impact. (Planning to handle)

13. Matters for the good of the Community. 7:50 P.M.  
(These may be presented by interested people in the audience)

ACTION: John Britton, a member of the Farm-City Advisory Committee, was introduced.

## ORDINANCES

### CONSENT

14. Final adoption of the following ordinances:

- (a) Ord. No. 1488-C.S. amending Section 23-3-9 of zoning map (Fenley).  
(Motion adopting needed)

ACTION: By motion, Ord. No. 1488-C.S. adopted.

- (b) Ord. No. 1490-C.S. relating to home occupation permits.  
(Motion adopting needed)

ACTION: By motion, Ord. No. 1490-C.S. adopted. (Clerk to handle)

## UNFINISHED BUSINESS

### CONSENT

15. Further consideration of extension of McGuire Drive.  
(NOTE: At a previous meeting persons requested this item be placed at the "top of the agenda." As the Municipal Code specifically sets forth the order of business this has not been done but the Code does provide that an item may be taken up out of order by unanimous vote of the Council.)

ACTION: A resolution (Elliott/Dunlap) to extend McGuire to Orangeburg failed as Councilmembers Kullijian, Mensinger, Newton and Siefkin voted no.

Res. 76-172 adopted (Kullijian/Siefkin, maj. - Dunlap and Davies, no) approving alternative 4 which provides for cul de sacs on McGuire and Fairbairn. (Planning and P/W to handle)

## NEW BUSINESS

### CONSENT

16. Consider changing type of street name signs.  
(The present signs can no longer be obtained. Green reflective sheeting on aluminum is recommended. Motion approving new standard and resolution establishing street name sign fee at \$54.59 and rescinding former \$42.00 fee needed. Additional cost \$1,236)

DROPPED FROM AGENDA

17. Consideration of promoting bus ridership.  
(Memo with agenda. It is recommended that staff interview and recommend three advertising-promotion consultants and that the Transit Committee interview the three and recommend one. Motion authorizing staff to seek three advertising-promotion consultants needed. Funds are budgeted)

ACTION: By motion (Kullijian/Mensinger, unan.) recommendation approved with possible expenditures for promotion to be in the \$10,000 to \$30,000 range. (P & T to handle)

### CONSENT

18. Request for permission to print and distribute the Council's annual "Report to the People."  
(It is recommended that the reports be mailed with the water/sewer bills the last of February, using the County's equipment for inserting the bills and reports into envelopes, as in previous years. Motion approving request needed. Estimated cost \$750.00. Funds are budgeted.)

ACTION: By motion, request approved. (C/Mgr to handle)

CONSENT

19. Consider retaining Mid-Valley Engineering as consulting engineer for reconstruction of the Briggsmore-Rose Intersection and consider appropriation of funds for that purpose. The estimated total cost of the project is in the order of \$333,000. The consultant's fees will not exceed \$17,500. Compressed schedule for design of the Briggsmore-Rose intersection necessitates the services of a consulting engineer. Resolution approving agreement and resolution approving appropriation transfer of \$17,500 needed)

ACTION: Res. 76-173 adopted approving agreement. (Clerk to handle)

Res. 76-174 adopted approving appropriation transfer of \$17,500 from Account 60-205 to Account 6709-205. (Finance to handle)

CONSENT

20. Consider authorization to hire an additional building inspector. (Memo with agenda. Resolution authorizing an additional building inspector needed. Estimated cost \$4,118. Funds are budgeted)

ACTION: By motion, authorization granted to hire additional inspector. (Personnel to handle)

CONSENT

21. Resolution withdrawing the Standiford-Tully No. 2 Addition from the Salida Fire District. (This addition was annexed to the City of Modesto effective January 16, 1976. Resolution withdrawing the Addition from Fire District needed)

ACTION: Res. 76-175 adopted withdrawing Standiford-Tully No. 2 Addition from District. (Clerk to handle)

CONSENT

22. Resolution withdrawing the Veneman Addition from the Salida Fire District. (This addition was annexed to the City of Modesto effective January 16, 1976. Resolution withdrawing Addition from Fire District needed)

ACTION: Res. 76-176 adopted withdrawing Veneman Addition from District. (Clerk to handle)

CONSENT

23. Resolution determining that the public interest and convenience require that Standiford Tully No. 2 Addition be annexed to the Modesto Municipal Sewer District No. 1 and naming a time and place for hearing. (The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Suggested hearing date March 15, 1976 at 4:00 P.M. Resolution setting hearing needed (2/3 affirmative vote required)

ACTION: Res. 76-177 adopted setting hearing. (Clerk to handle)

CONSENT

24. Resolution determining that the public interest and convenience require that Veneman Addition be annexed to Modesto Municipal Sewer District No. 1 and naming a time and place for hearing. (The subject area has been annexed to the City of Modesto and it is now necessary to annex it to the Modesto Municipal Sewer District. Resolution setting hearing date of March 15, 1976 at 4:05 P.M. needed. (2/3 affirmative vote required). Resolution needed)

ACTION: Res. 76-178 adopted setting hearing. (Clerk to handle)

## REPORTS FROM THE PLANNING COMMISSION

### CONSENT

25. Uninhabited annexation to the City of Modesto - Robertson-Hays Addition.  
(The LAF Commission has authorized this annexation without notice of public hearing - January 16, 1976. Resolution approving annexation needed)

ACTION: Res. 76-179 adopted annexing Robertson-Hays Addition to City.  
(Clerk to handle)

### CONSENT

26. Uninhabited annexation to the City of Modesto - Lincoln No. 3 Addition.  
(The LAF Commission has authorized this annexation without notice of public hearing - January 16, 1976. Resolution approving annexation needed)

ACTION: Res. 76-180 adopted annexing Lincoln No. 3 Addition to City.  
(Clerk to handle)

### CONSENT

27. Uninhabited annexation to the City of Modesto - Orangeburg-Lakewood No. 2 Addition.  
(The LAF Commission has authorized this annexation without notice of public hearing - January 16, 1976. Resolution approving annexation needed)

ACTION: Res. 76-181 adopted annexing Orangeburg-Lakewood No. 2 Addition to City. (Clerk to handle)

### CONSENT

28. Recommend amendment to Section 23-3-9 of the zoning map - Stanislaus Medical Society.  
(On January 20, 1976, the Planning Commission adopted Resolution No. 76-17 recommending to the City Council an amendment to Section 23-3-9 of the zoning map and reclassifying from Low Density Residential Zone, R-1, to Professional Office Zone, P-0, property located on the north side of St. Paul's Way, east of Oakdale Road. Resolution setting February 17, 1976 at 4:00 P.M. for public hearing needed)

ACTION: Res. 76-182 adopted setting hearing. (Clerk to handle)

## APPROPRIATION TRANSFERS

### CONSENT

29. Consider appropriation transfer. Additional funds are needed in Account 312-53-101, Chemicals, Drugs and Laboratory Supplies.  
(Memo with agenda. Resolution approving transfer needed)

ACTION: Res. 76-183 adopted approving appropriation transfer of \$37,000 from Account 60-101 to Account 312-53-101. (Finance to handle)

## MISCELLANEOUS

30. Legislation.

ACTION: By motion (Dunlap/Siefkin, unan.) ACA 8 opposed.  
By motion (Siefkin/Mensing, unan.) AB 2353 supported.  
By motion (Dunlap/Siefkin, unan.) AB 1938 opposed.  
By motion (Dunlap/Mensing, unan.) AB 210 opposed.  
By motion (Newton/Kullijian, unan.) ACA 71 opposed.  
By motion (Dunlap/Kullijian, maj. - Mensinger and Siefkin, no) ABL5 opposed in its present form. (C/Mgr to handle)

31. Appointments.

NONE

32. Matters too late for the agenda.

ACTION: The Police Department was commended for an excellent performance in connection with a recent extortion attempt.

The Council retired to executive session at 10:00 P.M. to consider a personnel matter and the acquisition of property and returned to open meeting at 10:35 P.M.

Res. 76-184 adopted (Dunlap/Siefkin, unan.) authorizing legal services for City employees in connection with the Miller appeal. (C/Mgr to handle)

Res. 76-185 adopted (Siefkin/Elliott, unan.) authorizing purchase of Brock property for a parking lot.

Res. 76-186 adopted (Siefkin/Elliott, unan.) authorizing purchase of Griffin property for a parking lot. (C/Atty to handle)

Adjournment at 10:40 P.M.

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

Modesto City Council  
Adjourned Special Meeting  
February 2, 1976

The Council of the City of Modesto met in Adjourned Special Meeting at 12:30 P.M. in City Hall for further consideration of the Downtown Plan.

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

The following tentative conclusions were reached:

11th Street Mall

- 1) Approved abandonment of 11th Street between H and I for conversion to mall; mall to contain more amenities than in staff and Commission proposal.

"I" Street Landscaped Median Strip

- 1) Approved installation as proposed by staff and Commission. However, section from 9th to 12th Street cannot be constructed until provision is made for more off-street parking to replace lost on-street spaces.

Alley Improvement

- 1) Continued City participation in three part program (undergrounding, resurfacing, lighting).
- 2) Staff to research possibility of resurfacing partial blocks in non-residential areas.

Meritorious Building Preservation

- 1) Preservation should be a private responsibility unless a public reuse involved.
- 2) Staff research methods to help private parties preserve meritorious buildings.
- 3) Culture Commission to outline strategy for identification of meritorious buildings as required by State regulations as a prerequisite to more favorable Uniform Building Code application to historic buildings.

Main Post Office

- 1) Support for returning main post office and all government offices downtown.
- 2) Letter to be sent by Mayor to appropriate representatives on this point.

Tidewater Southern Railway

- 1) Staff to research question of limiting length of trains using 9th Street.

Street Closure in Industrial Area South of "D" Street

- 1) Support for concept of street abandonment and future circulation pattern.

Zoning

- 1) Clarified discussion from previous meeting that area between Jennie and Grand should be zoned for offices.

The meeting was adjourned to Tuesday, February 24, 1975 at 7:30 P.M.

ATTEST:

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 2, 1976 AT 4:00 P.M.

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

Pledge of allegiance to the Flag.

Invocation by Reverend Dykstra, Christian Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 8, 9, 10,  
Items 13, 14 and 17 removed from consent 11, 12, 18, 19, 20, 21, 22, 23,  
Item 17c dropped 26, 27, 28, 29, 30, 31  
Dunlap/Siefkin, 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).

APPROVAL OF MINUTES

CONSENT

1. Minutes of January 24, and 26 (Special) and January 26, 1976 (Regular).  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request of Joe Mangipane to discuss trees.

ACTION: No action as Mr. Mangipane was not present.

CONSENT

3. Application of Doctors Ambulance of Modesto, Inc. for licenses to operate three ambulances and one limited ambulance in the City of Modesto.  
(Motion referring to staff for investigation and report and resolution setting February 17, 1976 at 4:15 P.M. for hearing needed)

ACTION: By motion, referred to staff for investigation and report.  
(C/Mgr to handle)

Res. 76-187 adopted setting hearing. (Clerk to handle)

CONSENT

4. Notice of Congressional-City Conference to be held March 14-16 in Washington, D.C.  
(Motion acknowledging receipt of notice needed)

ACTION: By motion, receipt of notice acknowledged.

CONSENT

5. Request of Human Rights Commission for approval of budget in the amount of \$850.  
(Motion referring to proper budget session needed)

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

CONSENT

6. Request of John Quaresma for 120 day extension of time for abandonment of alley in Quaresma Tract No. 2.  
(Staff recommends approval. Motion needed)

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

7. Request of Mid-Valley Engineering, Inc. for Council reconsideration of denial of rezoning of property at the northwest corner of Oakdale Road and Lancey Drive.

ACTION: Res. 76-188 adopted (Dunlap/Kullijian, unan. - Newton, absent) waiving the one-year limitation for making a new application.  
(Planning to handle)

- 7A. Request of Dr. Valentine to discuss \$3,000 he has on deposit for parking spaces.

ACTION: No action was taken by the Council.

BIDS

CONSENT

8. Consider acceptance of R & R Construction's contract for construction of Woodglen Park No. 1 waterlines.  
(Original contract \$32,477.25. 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 record notice of completion. Final cost: Contract \$32,262.44 (Main: \$30,622.44; services, \$1,640.) Funds are budgeted)

ACTION: Res. 76-189 adopted accepting contract. (Clerk to handle)

CONSENT

9. Consider acceptance of C. T. Brayton & Sons, Inc.'s contract for construction of Building 5 at Corporation Yard.  
(Original contract \$165,184. 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 record notice of completion; Final cost \$174,234.79. Funds are budgeted)

ACTION: Res. 76-190 adopted accepting contract. (Clerk to handle)

CONSENT

10. Consider acceptance of Tri County Builder's contract for construction of Utility Building in Rose Avenue Park, Sutter Park, and Woodrow Park.  
(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 record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$109,538.90. Funds are budgeted)

ACTION: Res. 76-191 adopted accepting contract. (Clerk to handle)

CONSENT

11. Consider acceptance of Teichert Construction's contract for improvement of Briggsmore Avenue - McHenry Avenue to Prescott Road.  
(Original contract \$896,491. All work on this project has been completed to the satisfaction of the State Department of Transportation and the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Final cost, construction, \$899,983.17. Funds are budgeted)

ACTION: Res. 76-192 adopted accepting contract. (Clerk to handle)

CONSENT

12. Consider award of contract to Pac Power for dismantling, relocating, certifying, and declassifying a city-owned utility DMC-28 crane for \$4,574.96.  
(Work required as a result of the City purchase of a new 25,500 G.V.W. cab and chassis. Crane transfer exceeds the capabilities of the service division. Memo with agenda. Resolution awarding bid to Pac Power needed. Estimated cost \$4,574.96. Funds are budgeted)

ACTION: Res. 76-193 adopted awarding contract to Pac Power. (Finance to handle)

13. Consider award of contract for construction of wading pool and lights at Sutter Park.  
(Bids were opened January 27, 1976. The low bid of \$37,995 submitted by Wolverine Building Service, which is 1% below the estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Wolverine Building Service needed. Estimated cost \$37,995. Funds are budgeted)

ACTION: Res. 76-194 adopted (Siefkin/Dunlap, unan. - Newton, absent) awarding contract to Wolverine Building Service. (P/W to handle)

14. Consider award of contract for construction of picnic shelter in Beard Brook Park.  
(Bids were opened January 6, 1976. The low bid was submitted by Tri-County Builders for \$28,992, which was 45% above the Engineer's Estimate. A review of the costs for the project with several of the bidders indicates that the Estimate did not properly reflect the costs involved in doing a project of this small size. This is substantiated by the fact that the five bids varied by only 10%. It is recommended that the appropriation transfer be approved and that the contract be awarded to Tri County Builders. Resolution awarding contract and resolution approving Appropriation Transfer needed. Funds are budgeted)

(Siefkin/Dunlap, unan. - Newton, absent)  
ACTION: Res. 76-195 adopted/awarding contract to Tri County Builders.  
(P/W to handle)  
(Siefkin/Dunlap, unan. - Newton, absent)  
Res. 76-196 adopted/approving appropriation transfer of \$11,892 from Account 60-321 to Account 6338-31-321. (Finance to handle)

HEARINGS

15. Hearing, proposed amendment to Section 19-3-9 of zoning map to rezone from P-D(74) to R-1 and R-2, property located on the south side of Evergreen Avenue, west of Grape Avenue. 4:05 P.M.

ACTION: Ord. No. 1494-C.S. introduced (Elliott/Mensinger, unan. - Newton, absent) rezoning area. (Clerk to handle)

Res. 76-197 adopted (Elliott/Mensinger, unan. - Newton, absent) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

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

ACTION: Res. 76-198 adopted (Kullijian/Dunlap, unan. - Newton, absent) commending Police Chief Ammerman. (Clerk to handle)

## ORDINANCES

### 17. Final adoption of the following ordinances:

(Councilmember Mensinger did not participate as she had been absent when these ordinances were introduced)

(a) Ord. No. 1491-C.S. relating to amusement machines. (Title IV)

ACTION: By motion (Dunlap/Siefkin, maj. - Kullijian, no - Mensinger and Newton, absent) Ord. No. 1491-C.S. adopted.

(b) Ord. No. 1492-C.S. relating to amusement machines. (Title X)

ACTION: By motion (Dunlap/Siefkin, maj. - Kullijian, no - Mensinger and Newton, absent) Ord. No. 1492-C.S. adopted.

(c) Ord. No. 1493-C.S. amending Section 23-3-9 and 26-3-9. (Zagaris)  
(Motions adopting needed)

ACTION: Action delayed for one week.

## NEW BUSINESS

### CONSENT

18. Consider request by City Manager for permission to attend the League of California Cities' annual City Managers' Conference, February 18-20, 1976.

(Motion approving request needed. Estimated cost \$300. Funds are budgeted)

ACTION: By motion, request approved.

### CONSENT

19. Consider amendment to agreement with Mr. and Mrs. Herman Thornsbery for extension of their occupancy of city-owned property.

(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 76-199 adopted approving amendment to agreement. (Clerk to handle)

### CONSENT

20. Report of Superintendent of Streets on the cost of alley resurfacing at the locations listed below:

(6 resolutions setting 7:30 P.M. on February 23, 1976 for public hearings needed. Contract costs listed with properties. Funds are budgeted)

### BLOCK 231

(a) Aron Saks, 406 Bonita Ave., Lot 1 - \$41.32.

(b) Geraldine P. Asell, 416 Bonita Ave., Lot 2 - \$112.65.

(c) Newille, 420 Bonita Ave., Lot 3 - \$126.38.

(d) Dessie Humphrey, 424 Bonita Ave., Lot 4 - \$142.50.

(e) Ray Wandell, 723 LaLoma, Lot 5 - \$232.19.

(f) James L. & Georgia Bray, 321 No. Santa Rosa, Lot 6 - \$142.50.

ACTION: Res. 76-200 adopted setting hearing. (P/W to handle)

CONSENT

20. Report of Superintendent of Streets, cost of alley resurfacing (cont'd)

BLOCK 406

- (a) Flossie Boyd, 125 Spruce St., Lot 1-2 - \$93.40.
- (b) Rosalinda Navarro, 7831 Foy Ave., Ceres 95307 - Lot 3-5 - \$93.40.
- (c) Rosalinda Navarro, 1422 - 11th St., Lot 6-7 - \$93.40.
- (d) John P. and Robbie L. White, 111 Spruce St., Lot 8-9 - \$93.40.
- (e) Laverne Z. Duarte, 107 Spruce St., Lot 10-11 - \$93.40.
- (f) Salvadore and Marie de Jesus B. Vera, 105 Spruce St., Lot 12 - \$46.70
- (g) Carl H. & Zella R. Hamilton, 517 Washington St., Lot 13-14 - \$93.40.
- (h) Carl H. & Zella R. Hamilton, 517 Washington St., Lot 15-16-17 - \$140.10.
- (i) Carl H. & Zella R. Hamilton, 517 Washington St., Lot 18-19 - \$93.40.
- (j) Leo and Minnie Suda, 112 Vine St., Lot 20-21 - \$93.40.
- (k) Eleanor Terzian, 116 Vine St., Lot 22-23 - \$93.40.
- (l) Bessie Clark, 120 Vine St., Lot 24-25 - \$93.40.
- (m) Paul P. & Odessa D. Green, 209 So. Madison, Lot 26-27-28 - \$140.10.

ACTION: Res. 76-200-A adopted setting hearing. (P/W to handle)

BLOCK 354

- (a) Dovie L. Rosa, 401 Alturas Avenue, Lot 1-2 - \$100.95.
- (b) Alice M. Martin, 805 Tully Road, Apt. 28, Lot 3-4 - \$100.95.
- (c) William G. & Connie D. Johnson, 409 Alturas Ave., Lot 5-6 - \$100.95.
- (d) Earl & Beulah Mayo, 411 Alturas Ave., Lot 7-8 - \$100.95.
- (e) Gerald L. & Patricia L. Garner, 1867 E. Keyes Rd., Ceres, 95307, Lot 9-10 - \$100.95.
- (f) Elodene B. Rolfe, 421 Alturas Ave., Lot 11-12 - \$100.95.
- (g) Sam C. Lowrie, 425 Alturas Ave., Lot 13-14 - \$100.95.
- (h) Thomas M. & Lesley A. Hull, 429 Alturas Ave., Lot 15-16 - \$100.95.
- (i) John & Della Mata, 433 Alturas Ave., Lot 17-18 - \$100.95.
- (j) Fern Biles, 438 Alturas Ave., Lot 19-20 - \$100.95.
- (k) Neva E. & Marie T. Harris, 441 Alturas Ave., Lot 21-22 - \$100.95.
- (l) Cleveland and Ann Burgin, 447 Alturas Ave., Lot 23-24 - \$100.95.
- (m) James W. & Mabel Crumpley, 446 Leon Ave., Lot 25-26 - \$100.95.
- (n) Edward Schamburg, 442 Leon Ave., Lot 27-28 - \$100.95.
- (o) Harold A. & Gertrude V. Parker, P. O. Box 1065, Tiburon, CA 94920, Lot 29-30 - \$100.95.

CONSENT

20. Report of Superintendent of Streets, cost of alley resurfacing (cont'd)

BLOCK 354

- (p) Arthur L. & Anne E. Owen, 434 Leon Ave., Lot 31-32 - \$100.95.
- (q) Gertrude Vincelet, 430 Leon Ave., Lot 33-34 - \$100.95.
- (r) William B. & Lillian Gordon, 3412 Claremont Ave., Lot 35-36 - \$100.95
- (s) Kathleen M. Sleeman, 422 Leon Ave., Lot 37-38 - \$100.95.
- (t) Anita Carillo, 418 Leon Ave., Lot 39-40 - \$100.95.
- (u) Jerry L. & Dorvalina P. Clar, 414 Leon Ave., Lot 41-42 - \$100.95.
- (v) Lorene Rhodes, 410 Leon Ave., Lot 43-44 - \$100.95.
- (w) Roy E. & Anna K. Campbell, 3924 Oakdale Road, Lot 45-46 - \$100.95.
- (x) Harry S. & Edith Paul, 402 Leon Ave., Lot 47-48 - \$100.95.

ACTION: Res. 76-200-B adopted setting hearing. (P/W to handle)

BLOCK 6049

- (a) Lambert and Florence Sikkema, 1101 Cornell Ave., Lot 1 - \$107.12.
- (b) Raymond & Jessie N. Ketcher, 1105 Cornell Ave., Lot 2 - \$110.81.
- (c) Jay H. Elmore, 1109 Cornell Ave., Lot 3 - \$106.38.
- (d) Charles E. & Helen Dowler, 1113 Cornell Ave., Lot 4 - \$106.38.
- (e) Dennis R. & Wanda L. Puthuff, 1117 Cornell Ave., Lot 5 - \$106.38.
- (f) William V. & Dorothy A. Iam, 1121 Cornell Ave., Lot 6 - \$110.81.
- (g) W. M. & Mabel Fugit, 1125 Cornell Ave., Lot 7 - \$115.24.
- (h) Ralph E. & Maud E. Moore, 1129 Cornell Ave., Lot 8 - \$265.82.
- (i) Mark N. & Elizabeth W. Essa, 1317 Como Park Way, Lot 9 - \$35.46.
- (j) College Avenue Congregational Church, 1341 College Ave., corner lot - \$1,099.86.

ACTION: Res. 76-200-C adopted setting hearing. (P/W to handle)

BLOCK 6181

- (a) Manuel B. & Anna Schmidt, 1735 Carlton Ave., Lot 1 - \$128.38.
- (b) John A. & Margaret L. Jackson, 1729 Carlton Ave., Lot 2 - \$108.75.
- (c) James D. & Belva F. Murphy, 1725 Carlton Ave., Lot 3 - \$108.75.
- (d) Bonno V. & Janna V. Kroeze, 1721 Carlton Ave., Lot 4 - \$108.75.
- (e) Nicio and Teresa Carlos, 1715 Carlton Ave., Lot 5 - \$108.75.
- (f) Anna P. Schnabel, 1711 Carlton Ave., Lot 6 - \$108.75.
- (g) Joe T. & Rena B. Foster, 912 E. Hatch Rd., Lot 7 - \$108.75.
- (h) Garry & Jacoba Sluys, 1639 Carlton Ave., Lot 8 - \$108.75.

CONSENT

20. Report of Superintendent of Streets, cost of alley resurfacing (cont'd)

- (i) Charles W. & Shirley Vaughan, 1635 Carlton Ave., Lot 9 - \$108.75.
- (j) William H. & Patricia McNelly, 1629 Carlton Ave., Lot 10 - \$108.75.
- (k) Bill William Burress, 1625 Carlton Ave., Lot 11 - \$108.75.
- (l) Luther F. & Irma A. Jackson, 1620 Carlton Ave., Lot 12 - \$108.75.
- (m) Jack D. Krieg, 1615 Carlton Ave., Lot 13 - \$108.75.
- (n) George Albert & Myrtle M. Sisson, 1611 Carlton Ave., Lot 14 - \$108.75.
- (o) Edward L. and Dorothy E. Powell, 901 Granger, Lot 15 - \$140.72.
- (p) Phillip A. & Carolyn E. Alves, 1606 Bronson Ave., Lot 16 - \$140.43.
- (q) William T. Pascoe, 1612 Bronson Ave., Lot 17 - \$108.75.
- (r) Richard L. and Lynda J. McFarren, 1616 Bronson Ave., Lot 18 - \$108.75.
- (s) Luther J. & Jean C. Lodwing, 1622 Bronson Ave., Lot 19 - \$108.75.
- (t) George W. & Carole L. Crowley, 1626 Bronson, Lot 20 - \$108.75.
- (u) James D. & Sandra D. Grothe, 1630 Bronson Ave., Lot 21 - \$108.75.
- (v) James W. & Billie J. Barrett, 1636 Bronson, Lot 22 - \$108.75.
- (w) Howard T. & Eunice L. Baker, 1640 Bronson Ave., Lot 23 - \$108.75.
- (x) Herman L. & Mina J. Burkle, 1706 Bronson Ave., Lot 24 - \$108.75.
- (y) Albert M. & Doloros S. George, 1712 Bronson, Lot 25 - \$108.75.
- (z) Frank W. Herkner, 1716 Bronson, Lot 26, - \$108.75.
- (aa) Harold D. Mathis, 1708 Ruby Lane, Lot 27 - \$108.75.
- (bb) Edward R. & Charlotte Zuhike, 1726 Bronson Ave., Lot 28 - \$108.75.
- (cc) Alfred L. & Carmella Roberts, 1730 Bronson, Lot 29 - \$108.75.
- (dd) Viola M. Sortors, 1736 Bronson, Lot 30 - \$127.50.

ACTION: Res. 76-200-D adopted setting hearing. (P/W to handle)

BLOCKS 6113 AND 6114

- (a) Jack Fulton, 1125 Athens Ave., Lot 12 - \$133.51.
- (b) John R. & Hazel H. Stewart, 1306 Glenwood Dr., Lot 13 - \$131.01.
- (c) Timothy A. & Lora M. Lawrence, 1301 Glenwood Dr., Lot 14 - \$111.16.
- (d) Don C. & Linda J. Starr, 1314 Glenwood Dr., Lot 15 - \$150.89.
- (e) Walter F. & Helen Davis, 1318 Glenwood Dr., Lot 16 - \$131.01.
- (f) Claude L. & Dorothy Baker, 1322 Glenwood Dr., Lot 17 - \$131.01.
- (g) David N. & Joanna Coito, 1326 Glenwood Dr., Lot 18 - \$131.01.

CONSENT

20. Report of Superintendent of Streets, cost of alley resurfacing (cont'd)

BLOCKS 6113 AND 6114

- (h) Jon F. & Patricia A. Turner, 1330 Glenwood Dr., Lot 19 - \$131.01.
- (i) Paul J. & Josephine Dembosky, 1402 Glenwood Dr., Lot 20 - \$131.01.
- (j) Pius J. & Marion J. Scheuber, 1406 Glenwood, Lot 21 - \$131.01.
- (k) Amos D. & Dorothy L. Cobb, 1437 Pearl St., Lot 1 - \$137.72.
- (l) Kermit L. & Opal E. Breshears, 1433 Pearl St., Lot 2 - \$115.13.
- (m) Steven E. & Constance A. Brimm, 1429 Pearl St., Lot 3 - \$115.13.
- (n) Ernest L. & Catherine Corda, 1425 Pearl St., Lot 4 - \$115.13.
- (o) Robert E. & Linda F. Bumgardner, 1421 Pearl St., Lot 5 - \$115.13.
- (p) Kenneth D. & Sherrin Rae Oyer, 1419 Pearl St., Lot 6 - \$115.13.
- (q) Ray M. & Jeannine M. Dahlgren, 1413 Pearl St., Lot 7 - \$115.13.
- (r) Brian P. & Linda K. Sutton, 1409 Pearl St., Lot 8 - \$115.13.
- (s) Robert & Barbara Harty, 1405 Pearl St., Lot 9 - \$115.13.
- (t) Lee A. & Harriet Hills, 1401 Pearl St., Lot 10 - \$115.13.
- (u) Antonio Monaco, 1410 Glenwood Dr., East 64 feet of Lot 11 - \$127.04
- (v) Marcella M. Teufel, 1414 Glenwood Dr., Lot 12 & West 2 feet of Lot 11 - \$134.98.
- (w) Gerald L. & Barbara J. Janson, 1418 Glenwood Dr., East 60 feet of Lot 13 - \$119.10.
- (x) John Carlson & Marjorie A. Sample, 1422 Glenwood Dr., Lot 14 and West 6 feet of Lot 13 - \$142.92.
- (y) Jimmie L. & Irene Coats, 1426 Glenwood Dr., Lot 15 - \$131.01.
- (z) George E. & Rosanna D. Volfi, 1430 Glenwood Dr., East 56 feet of Lot 16 - \$111.16.
- (aa) Lena Pometta & William Caporngn, 1434 Glenwood Dr., West 8 feet of Lot 16 & East 48 feet of Lot 17 - \$111.16.
- (bb) Herman F. & Irmadean Bird, 1438 Glenwood Dr., West 12 feet of Lot 17 and East 50 feet of Lot 18 - \$123.07.
- (cc) Anna L. Fagundes & Gloria J. Fagundes, 1442 Glenwood Drive, Lot 19 and West 10 feet of Lot 18. - \$144.59.
- (dd) Henry & Corine K. Wood, 1341 Pearl St., Lot 1 and West 9 feet of Lot 2 - \$132.99.
- (ee) Dee & Esther Goulart, 1329 Pearl St., East 42 feet of Lot 3 and West 25 feet of Lot 4 - \$132.99.
- (ff) George P. & Dimitra Kufis, 1325 Pearl St., East 34 feet of Lot 4 and West 35 feet of Lot 5 - \$136.96.
- (gg) Charles S. Cole, 1321 Pearl St., East 24 feet of Lot 5 and West 43 feet of Lot 6 - \$132.99.
- (hh) Eldon L. & Manda Helm, 1317 Pearl St., East 16 feet of Lot 6 and West 53.5 feet of Lot 7 - \$137.96.

CONSENT

20. Report of Superintendent of Streets, cost of alley resurfacing (cont'd)

BLOCKS 6113 AND 6114

- (ii) Zylpha S. Hook, 1313 Pearl St., Lot 8 and East 5.5 ft. of Lot 7 - \$128.03.
- (jj) Dilmus N. & J. Nerine King, 1309 Pearl St., Lot 9 - \$117.11.
- (kk) Billy E. & Eleanore Wasson, 1305 Pearl St., Lot 10 - \$117.11.
- (ll) Goldie E. Fair, 1501 Tully Rd., Lot 11 - \$124.50.
- (mm) Clifford E. & Esther L. Briggs, 1337 Pearl St., East 50 feet of Lot 2 and the west 17 feet of Lot 3 - \$132.99.

ACTION: Res. 76-200-E adopted setting hearing. (P/W to handle)

CONSENT

21. 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 needed)

ACTION: Res. 76-201 adopted determining prevailing wage rates. (Clerk to handle)

CONSENT

22. Approve agreement with State for signal modification at McHenry and Morris. The existing signal controller is 20 years old and needs replacing. Memo with agenda. Resolution authorizing approval of cooperative agreement needed. Estimated cost \$9,500. Funds are budgeted)

ACTION: Res. 76-202 adopted approving agreement. (Clerk to handle)

REPORTS

CONSENT

23. Quarterly report of Greater Modesto Chamber of Commerce.  
(Motion accepting needed)

ACTION: By motion, report accepted.

24. Results of Study concerning proposed PERS amendment of a 5% automatic cost of living increase for retired employees.  
(Memo with agenda. Motion approving report needed)

ACTION: By motion (Mensingher/Siefkin, unan.) staff directed to report to Council concerning possible one-time 15% increase for those who retired prior to 1971 and the intent of the law permitting 5% cost of living retirement pay increases. (C/Mgr to handle)

25. Park by Muncy School.  
(Consideration of locating a park in the Muncy School area. Motion directing staff needed)

ACTION: By motion (Elliott/Mensingher, unan.) staff directed to investigate acquisition of property across street from Muncy School. (P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

**CONSENT**

26. Proposed amendment to Chapter 2 of Title X of the Municipal Code. (On January 29, 1976, the Planning Commission adopted Resolution No. 76-20 recommending to the Council amendments, additions and deletions to Sections 10-2.2102 and 10-2.2103 of the Modesto Municipal Code pertaining to zone changes and unclassified use permits. Resolution setting February 17, 1976 at 4:05 P.M. for public hearing needed)

ACTION: Res. 76-203 adopted setting hearing. (Clerk to handle)

**CONSENT**

27. Proposed amendments to Chapter 1 of Title 6, Chapter 6 of Title 9, and Chapter 2 of Title 10 of the Modesto Municipal Code. (On January 20, 1976, the Planning Commission adopted Resolution No. 76-19 recommending to the Council amendments, additions, and deletions to the Modesto Municipal Code pertaining to garage and patio sales (Sections 6-1.106, 9-6.03, 9-6.07, 10-2.228.1 and 10-2.502). Resolution setting February 17, 1976 at 4:10 P.M. for public hearing needed)

ACTION: Res. 76-204 adopted setting hearing. (Clerk to handle)

**CONSENT**

28. Recommend amendment to Section 19-3-9 of the zoning map - King Development Company. (On January 20, 1976, the Planning Commission adopted Resolution 76-18 recommending to the City Council an amendment to Section 19-3-9 of the zoning map and reclassifying from medium high density residential zone, R-3, to Planned Development Zone, P-D, property located on the south side of W. Orangeburg Avenue west of Martin Avenue, to allow construction of a 100-unit motel. Resolution setting February 23, 1976 at 7:35 P.M. for public hearing needed)

ACTION: Res. 76-205 adopted setting hearing. (Clerk to handle)

**CONSENT**

29. Recommendation from the Planning Commission recommending an amendment to P-D(21) to allow new uses (Stone Bros.) (On January 20, 1976, the Planning Commission adopted Resolution No. 76-15 recommending new uses to include business and professional offices on a 3.6 acre portion of P-D(21) located on the east side of Tully Road south of Standiford Avenue and recommending denial of a bank thereon. Resolution setting February 23, 1976 at 7:40 P.M. for public hearing needed. to consider amendments to Ordinance No. 748-C.S.)

ACTION: Res. 76-206 adopted setting hearing. (Clerk to handle)

**CONSENT**

30. Recommend amendment to Section 28-3-9 of the zoning map - Modesto City Hospital. (On January 20, 1976, the Planning Commission adopted Resolution No. 76-16 recommending to the City Council an amendment to Section 28-3-9 of the zoning map reclassifying from Neighborhood Commercial Zone, C-1, General Commercial Zone, C-2, Professional Office Zone, P-O, and Medium High Density Residential Zone, R-3, to Planned Development Zone to allow expansion of Modesto City Hospital and relocation of Octomedent parking, property located northeasterly and southwesterly of 17th Street, southeasterly of H Street, and on both sides of G Street. Resolution setting public hearing for March 1, 1976 at 4:00 P.M. needed)

ACTION: Res. 76-207 adopted setting hearing. (Clerk to handle)

CONSENT

31. Recommend amendment to Section 18-3-9 of the zoning map - Rule Development.

(On January 20, 1976, the Planning Commission adopted Resolution No. 76-14 recommending to the City Council an amendment to Section 18-3-9 of the zoning map reclassifying from Medium High Density Residential Zone, R-3, and Low Density Residential Zone, R-1, to Planned Development Zone, P-D, to allow construction of business and professional offices and a parking area, property at the southwest corner of Briggsmore and Tully. Resolution setting public hearing for March 1 at 4:05 P.M. needed)

ACTION: Res. 76-208 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

32. Legislation.

NONE

33. Appointments.

NONE

34. Matters too late for the agenda.

ACTION: It was agreed that a discussion would be held sometime in the future on the responsibilities a governing body has toward its retired employees.

The Council adjourned at 6:00 P.M. to 3:00 P.M. on February 3 at the Sun Dial Lodge for further study of Capacity Building.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

Modesto City Council  
Adjourned Regular Meeting  
February 3, 1976

The Council of the City of Modesto met in adjourned regular meeting at 3:00 P.M. at the Sundial Lodge.

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

Absent: Councilmembers: Dunlap, Kullijian, Newton

As this meeting was a continuation of the Capacity Building Project, the League Staff presented a draft of a model of basic municipal functions for consideration. After a group discussion, it was agreed to use a format prepared by Mayor Davies as the basis of discussion by four sub-groups, with one Councilmember heading each of the groups.

Each of the smaller groups then studied one of the following areas:


Community Development  
Public Safety  
Social and Leisure Services  
Revenue and Taxation

The conclusions reached by each sub-group were then discussed and it was agreed that the staff would attempt to put the conclusions in written form for study by the Council.

Following dinner, Jim King of the San Jose City Manager's staff spoke to the group on the effectiveness of Capacity Building.

The meeting was adjourned at 8:30 P.M.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 9, 1976 AT 7:30 P.M.

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

Pledge of allegiance to the Flag.

Invocation by Reverend Bruce Brollier, Coulterville Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 10, 11, 12,  
Kullijian/Siefkin, unan. - Dunlap, absent 13, 14, 15, 16, 17, 18, 20, 21,  
22, 23

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of February 2, 1976 (Adjourned Special); February 2, 1976, (Regular), and February 3, 1976 (Adjourned regular).  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request that Council review application of Consumer-Provider Association to be Area VI Health Systems Agency.

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

A motion (Elliott/Siefkin) to refer to staff for study and report failed as Newton and Siefkin voted no.

By motion (Siefkin/Newton, maj. - Davies, no) previous endorsement withdrawn pending receipt of report by staff and Council action to be taken February 17, 1976. (C/Mgr to handle)

BIDS

CONSENT

3. Consider award of contract for street light modernization, Phase VII 1975-76.  
(Bids were opened January 27, 1976. The low bid submitted by Smith Electric Supply is 45% 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 needed. Estimated cost \$170,059 (Contract \$148,165; Engr. and Incid. \$21,894)

ACTION: Res. 76-209 adopted awarding contract to Smith Electric Supply.  
(P/W to handle)

CONSENT

4. Consider award of contract for renovation of entry gate and surfacing of the S.W. portion of the Corporation Yard.  
(Bids were opened February 3, 1976. The low bid submitted by Morrow and Waggoner, Inc. for \$11,941, which is 23% under the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Morrow and Waggoner, Inc. needed. Estimated cost \$11,941. Funds are budgeted)

ACTION: Res. 76-210 adopted awarding contract to Morrow & Waggoner.  
(P/W to handle)

CONSENT

5. Accept George Reed, Inc. contract for constructing the Municipal Golf Course parking lot.  
(The contract has been completed to the satisfaction of Parking and Traffic and Parks and Recreation. Resolution accepting contract needed. Final cost \$22,293.88. Funds are budgeted)

ACTION: Res. 76-211 adopted accepting contract. (Clerk to handle)

HEARINGS

6. Hearings on cost of construction of alley improvements at the following Block and Lot numbers listed below: 7:30 P.M.

BLOCK 6064 - Enslin Ave. - Sherwood Ave. - Balboa Way - Coronado Way

- (a) Billy J. & S. Shirley A. Low, Lot 1 - \$131.50.  
(Paid - drop from agenda)

DROPPED

- (b) E. and Esthermae Soper, Lot 2 - \$123.95.

ACTION: Res. 76-212 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (c) James R. & Barbara Lugo, Lot 3 - \$123.95.

ACTION: Res. 76-213 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (d) Richard R. & Molly Navarro, Lot 4 - \$123.95.

ACTION: Res. 76-214 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (e) Charles F. & Iiah Rose, Lot 5 - \$123.95.  
(Paid - drop from agenda)

DROPPED

- (f) Norval A. and Lillian M. Pimentel, Lot 6 - \$123.95.

ACTION: Res. 76-215 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

6. Hearings on cost of construction of alley improvements, 7:30 P.M.  
continued

BLOCK 6064 - Enslin Ave. - Sherwood Ave. - Balboa Way - Coronado Way

(g) J. F. Chronister, Lot 7 - \$123.95.

ACTION: Res. 76-216 adopted (Newton/Mensing, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(h) Helen L. Burdt, Lot 8 - \$123.95.

ACTION: Res. 76-217 adopted (Newton/Mensing, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(i) Laurence H. and Glema DeWitt, Lot 9 - \$123.95.  
(Paid - drop from agenda)

DROPPED

(j) Nancy N. Terrizzi, Lot 10 - \$123.95.  
(Paid - drop from agenda)

DROPPED

(k) Samuel Jacobs, Lot 11 - \$123.95.  
(Paid - drop from agenda)

DROPPED

(l) Christina Van Ryn, Lot 12 - \$123.95.  
(Paid - drop from agenda)

DROPPED

(m) Joseph & Glenis E. Gornik, Lot 13 - \$123.95.  
(Paid - drop from agenda)

DROPPED

(n) Leo W. and Janene M. Habers, Lot 14 - \$123.95.

ACTION: Res. 76-218 adopted (Newton/Mensing, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(o) Wallace W. & Marie Freeman, Lot 15 - \$123.95.

ACTION: Res. 76-219 adopted (Newton/Mensing, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(p) Kermit E. & Moscelene Patterson, Lot 16 - \$123.95.

ACTION: Res. 76-220 adopted (Newton/Mensing, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(q) Jennie Quistini, Lot 17 - \$123.95.

ACTION: Res. 76-221 adopted (Newton/Mensing, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(r) Nohammed J. & Hayereh A. Zahraie, Lot 18 - \$131.70.

ACTION: Res. 76-222 adopted (Newton/Mensing, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

6. Hearings on cost of construction of alley improvements, 7:30 P.M.  
continued.

BLOCK 6620 - Tully Rd. - Rivera Dr. - Mt. Vernon Dr. - Bowen Ave.

Following complaints to the effect that this alley improvement has resulted in the alley becoming a drag strip, it was agreed that staff would look into the complaints to see if some relief can be given to the residents. (P & T to handle)

- (a) Tom J. and Barbara Keyes, Lot 7 - \$86.83.

ACTION: Res. 76-223 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (b) Gerald T. & Glenda L. Croft, Lot 8 - \$170.01.

ACTION: Res. 76-224 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (c) A. S. and Josephine Mutoza, Lot 9 - \$136.00.

ACTION: Res. 76-225 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (d) Audrey Olsen, Lot 10 - \$115.23.

ACTION: Res. 76-226 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (e) Grant L. & Pat Anderson, Lot 11 - \$115.23.

ACTION: Res. 76-227 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (f) Leslie D. & Judy L. Barnett, Lot 12 - \$115.23.

ACTION: Res. 76-228 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (g) Armand L. and Mary J. Derrick, Lot 13 - \$115.23.  
(Paid - drop from agenda)

DROPPED

- (h) Arvy W. Brown, Lot 14 - \$115.23.

ACTION: Res. 76-229 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (i) Clayton M. and Nellie Eckles, Lot 15 - \$164.91.  
(Paid - drop from agenda)

DROPPED

- (j) Manuel & Sara R. Salazar, Lot 16 - \$132.23.

ACTION: Res. 76-230 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

6. Hearings on cost of construction of alley improvements, 7:30 P.M.  
continued.

BLOCK 6620 - Tully Rd. - Rivera Dr. - Mt. Vernon Dr. - Bowen Ave.

(k) Morton C. & Mary J. Banks, Lot 17 - \$120.90.

ACTION: Res. 76-231 adopted (Newton/Mensingler, unan. - Dunlap, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)

(l) Andrew J. Panetto, Lot 18 - \$120.90.  
(Paid - drop from agenda)

DROPPED

(m) Herbert W. and Virginia M. Aspinall, Lot 19 - \$120.90.

ACTION: Res. 76-232 adopted (Newton/Mensingler, unan. - Dunlap, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)

(n) Vernon James and Beverly C. Chase, Lot 20 - \$120.90.  
(Paid - drop from agenda)

DROPPED

(o) Byron F. and Charlotte L. Plagg, Lot 21 - \$120.90.  
(Paid - drop from agenda)

DROPPED

(p) Wayne E. Sargent, Lot 22 - \$120.90.  
(Paid - drop from agenda)

DROPPED

(q) Stewart L. and Sherron Blocker, Lot 23 - \$120.90.

ACTION: Res. 76-233 adopted (Newton/Mensingler, unan. - Dunlap, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)

(r) Milton Q. and Loydean Fair, Lot 24 - \$150.36.

ACTION: Res. 76-234 adopted (Newton/Mensingler, unan. - Dunlap, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)

(s) Thomas H. and Beverly J. Sawyer, Lot 25 - \$275.10.

ACTION: Res. 76-235 adopted (Newton/Mensingler, unan. - Dunlap, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)

(t) David G. and Irene C. Beckwith, Lot 26 - \$251.69.

ACTION: Res. 76-236 adopted (Newton/Mensingler, unan. - Dunlap, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)

BLOCK 6703 - Winning Ave. - Monticello Ave. - Adel St. - Bispo Dr.

(a) William Ernest and Rose Nunes, Lot 1 - \$128.87.  
(Paid - drop from agenda)

DROPPED

6. Hearings on cost of construction of alley improvements, continued.

7:30 P.M.

BLOCK 6703 - Winning Ave. - Monticello Ave. - Adel St. - Bispo Dr.

- (b) Marvin and Beulah K. Lowe, Lot 2 - \$120.31.  
(Paid - drop from agenda)

DROPPED

- (c) William E. and Evelyn E. Riddle, Lot 3 - \$120.31.

ACTION: Res. 76-237 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (d) James A. and Jane Casey, Lot 4 - \$120.31.

ACTION: Res. 76-238 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (e) Herbert A. and Noma Dellis, Lot 5 - \$120.31.

ACTION: Res. 76-239 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (f) Elizabeth Price, Lot 6 - \$120.31.  
(Paid - drop from agenda)

DROPPED

- (g) Thomas H. & Phillis J. Threlfall, Lot 7 - \$120.31.

ACTION: Res. 76-240 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (h) Elizabeth Brenda and Marguerite E. Brenda, Lot 8 - \$130.27.

ACTION: Res. 76-241 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (i) Dorothy L. Machado, Lot 9 - \$128.87.

ACTION: Res. 76-242 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (j) Earl and Marjorie Rathbun, Lot 10 - \$120.31.

ACTION: Res. 76-243 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (k) Richard N. Pacheco, Lot 11 - \$120.31.  
(Paid - drop from agenda)

DROPPED

- (l) Robert D. and Mary McCabe, Lot 12 - \$120.31.

ACTION: Res. 76-244 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

6. Hearings on cost of construction of alley improvements, continued.

7:30 P.M.

BLOCK 6703 - Winning Ave. - Monticello Ave. - Adel St. - Bispo Dr.

(m) Thomas S. and Clem E. Taylor, Lot 13 - \$120.31.

ACTION: Res. 76-245 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(n) James A. and Zae Axton, Lot 14 - \$120.31.  
(Paid - drop from agenda)

DROPPED

(o) Fred A. and Marjorie Funari, Lot 15 - \$120.31.

ACTION: Res. 76-246 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(p) Jerry and Debbie Albino, Lot 16 - \$130.27.

ACTION: Res. 76-247 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 6728 - Monticello Ave. - Monte Verde Ave. - Mt. Vernon Dr. - Bowen Ave.

(a) John D. and Mary Jo Silva, Lot 10 - \$207.30.

ACTION: Res. 76-248 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(b) Thomas H. and Phyllis Threlfall, Lot 11 - \$153.46.

ACTION: Res. 76-249 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(c) Rosemary B. Miller, Lot 12 - \$143.13.  
(Paid - drop from agenda)

DROPPED

(d) Max L. and Joyce R. LaMunyon, Lot 13 - \$161.89.

ACTION: Res. 76-250 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(e) Forrest S. and Ellen N. Blakemore, Lot 14 - \$207.10.

ACTION: Res. 76-251 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 6918 - Jasmin Ave. - Dana Lane - Charles Ave. - Ryan Ave.

(a) Benny R. and Barbara A. Cagle, Lot 1 - \$136.18.  
(Paid - drop from agenda)

DROPPED

BLOCK 6918 - Jasmin Ave. - Dana Lane - Charles Ave. - Ryan Ave.

(b) Ivan C. and Ruby C. Beard, Lot 2 - \$120.18.

ACTION: Res. 76-252 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(c) Donna C. Ford, Lot 3 - \$120.18.  
(Paid - drop from agenda)

DROPPED

(d) Wayne E. and Rosalie K. Schmierer, Lot 4 - \$120.18.  
(Paid - drop from agenda)

DROPPED

(e) Kenneth A. Raven, Lot 5 - \$120.18.

ACTION: Res. 76-253 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(f) Sandra L. Rossi, Lot 6 - \$120.18.

ACTION: Res. 76-254 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(g) Glen R. and Sherrellyn L. Wood, Lot 7 - \$120.18.

ACTION: Res. 76-255 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(h) Harrel W. and Ida Bellf Moody, Lot 8 - \$124.19.

ACTION: Res. 76-256 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(i) Eliza Fernandes, Lot 9 - \$134.28.

ACTION: Res. 76-257 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(j) Fred J. and Freda E. Kraft, Lot 10 - \$134.00

ACTION: Res. 76-258 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(k) Gale D. and Gloria J. Haldeman, Lot 11 - \$134.00.

ACTION: Res. 76-259 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(l) Marvin C. and Reda Harper, Lot 12 - \$134.00.

ACTION: Res. 76-260 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(m) Joy G. Dibb, Lot 13 - \$144.74.

ACTION: Res. 76-261 adopted (Newton/Mensingler, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

6. Hearings on cost of construction of alley improvements,  
continued.

7:30 P.M.

BLOCK 6918 - Jasmin Ave. - Dana Lane - Charles Ave. - Ryan Ave.

(n) Merze Elizabeth O'Bar, Lot 14 - \$140.21.

ACTION: Res. 76-262 adopted (Newton/Mensingher, unan. - Dunlap, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)

(o) Courtland E. and Fannie V. Shetley, Lot 15 - \$134.00  
(Paid - drop from agenda)

DROPPED

(p) Bert L. Jones, Lot 16 - \$134.00.  
(Paid - drop from agenda)

DROPPED

(q) Marian R. Lichty, Lot 17 - \$134.00.  
(Paid - drop from agenda)

DROPPED

(r) Robert C. and Louise C. Hansen, Lot 18 - \$138.81.

ACTION: Res. 76-263 adopted (Newton/Mensingher, unan. - Dunlap, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)

(s) Vernon F. and Pearl M. Costa, Lot 19 - \$119.66,  
(Paid - drop from agenda)

DROPPED

(t) Kenneth H. & Kiyoko Sievers, Lot 20 - \$120.18.  
(Paid - drop from agenda)

DROPPED

(u) Maude I. Schaffer, Lot 21 - \$120.18.

ACTION: Res. 76-264 adopted (Newton/Mensingher, unan. - Dunlap, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)

(v) Joseph A. and Rosalind S. Swanson, Lot 22 - \$120.18.

ACTION: Res. 76-265 adopted (Newton/Mensingher, unan. - Dunlap, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)

(w) Troy M. and Betty A. Lafferty, Lot 23 - \$120.18.

ACTION: Res. 76-266 adopted (Newton/Mensingher, unan. - Dunlap, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)

(x) Mary B. Lickey, Lot 24 - \$120.18.  
(Paid - drop from agenda)

DROPPED

6. Hearings on cost of construction of alley improvements, 7:30 P.M.  
continued.

BLOCK 6918 - Jasmin Ave. - Dana Lane - Charles Ave. - Ryan Ave.

(y) Claire T. McGrath, Lot 25 - \$120.18.

ACTION: Res. 76-267 adopted (Newton/Mensing, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

(z) Milton D. Atkins, Lot 26 - \$140.71.

ACTION: Res. 76-268 adopted (Newton/Mensing, unan. - Dunlap, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

7. Hearing, appeal of E. W. Hahn, Inc., Carter Hawley Properties, Inc., and Sears Roebuck and Co. to decision of Planning Commission denying request for wall signs exceeding the City's 35-foot height limit. 7:35 P.M.

ACTION: Res. 76-269 adopted (Siefkin/Newton, maj. - Elliott and Kullijian, no - Dunlap, absent) denying appeal. (Planning to handle)

It was agreed that the City Manager would report to Council on the charge made by Carmen Sabentino that a Building Inspector had stated that the City was "cracking down" on McHenry Ave. and Downtown merchants in connection with the sign ordinance.

8. Hearing on proposed closure of Elmhurst Drive at its intersection with Briggsmore Avenue. 7:40 P.M.

ACTION: Res. 1326-S.P. adopted (Mensing/Kullijian, unan. - Dunlap, absent) closing Elmhurst Drive on a temporary trial basis for a maximum of one-year with an evaluation to be made at the end of one year or sooner if circumstances dictate quicker action. (Planning to handle)

9. Matters for the good of the community. 7:45 P.M.  
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

10. Final adoption of the following ordinances:

(Motions adopting needed)

(a) Ord. No. 1493-C.S. - amending Sections 23-3-9 and 26-3-9 of the zoning map. (Zagaris)

ACTION: By motion, Ord. No. 1493-C.S. adopted (Clerk to handle)

(b) Ord. No. 1494-C.S. - amending Section 19-3-9 of the zoning map. (O.F.C. Properties)

ACTION: By motion, Ord. No. 1494-C.S. adopted. (Clerk to handle)

CONSENT

11. Consider installing parking meters on the west side of 14th Street from J to K Streets.  
(We have been asked to install parking meters to curb all-day parking. Ordinance amending parking meter zoning map needed. Estimated cost \$175. Funds are budgeted)

ACTION: Ord. No. 1495-C.S. introduced. (Clerk to handle)

NEW BUSINESS

CONSENT

12. Consider cooperative agreement with State and County to improve McHenry Avenue between Warren Way and Meily Way.  
(Memo with agenda. Resolution approving agreement needed. Estimated cost \$15,650. Funds are budgeted)

ACTION: Res. 76-270 adopted approving agreement. (Clerk to handle)

CONSENT

13. Consider lease agreement with Haig Berberian for lease of City property acquired for Dry Creek Park.  
(Memo with agenda. Resolution approving lease agreement needed)

ACTION: Res. 76-271 adopted approving agreement. (Clerk to handle)

CONSENT

14. Request for sewer service to property at 704 Lombardo, located on the southeast corner of Lombardo Avenue and Bystrom Road south of the Tuolumne River.  
(Property owner Margarita Nieto has signed an agreement to annex when requested to do so by City. The property is not contiguous to the city limits; however, a sewer main exists to serve the property. Resolution approving agreement needed)

ACTION: Res. 76-272 adopted approving agreement. (P/W to handle)

CONSENT

15. Consider daily bus passes.  
(Memo with agenda. Unlimited rides for a day at 50¢ per person is recommended. Motion indicating Council approval of such a pass, if acceptable to County needed)

ACTION: By motion, proposal for daily bus pass approved in principle.  
(P & T to handle)

CONSENT

16. Consider request for amendment to lease agreement with Mr. and Mrs. Dale C. Miner and request for consent for assignment of this lease to Mr. and Mrs. Ben C. Turner.  
(Memo with agenda. Resolution approving amendment to lease agreement and resolution authorizing City Manager to consent to assign the lease needed)

ACTION: Res. 76-273 adopted approving amendment to lease agreement.  
(Clerk to handle)

Res. 76-274 adopted authorizing City Manager to consent to assignment. (C/Mgr to handle)

CONSENT

17. Requirement for construction of curbs and/or sidewalks at the locations 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 notice. Resolution setting 7:30 P.M. on March 8, 1976 for hearings needed)
- (a) Sidewalk at 1309 Enslen Ave., Lot 4 of Block 6052.  
(Marjorie E. Beck)
  - (b) Sidewalk at 1224 Enslen Ave., Lot 12 of Block 6053.  
(Stephen B. Brown)
  - (c) Sidewalk at 1306 Enslen Ave., portion of Block 6053.  
(Theodore R. Byerley)
  - (d) Sidewalk at 1313 Enslen Ave., Lot 3 of Block 6052.  
(Thomas J. Carlin)
  - (e) Sidewalk at 1232 Enslen Ave., Lot 14 and the north 3 feet of Lot 13 of Block 6053. (Lawrence M. Dovichi)
  - (f) Sidewalk at 1321 Enslen Ave., Lot 1 of Block 6052.  
(Alfred M. Duckart)
  - (g) Sidewalk at 1351 Enslen Ave., Lot 26 of Block 6007.  
(Gerald A. W. Haight)
  - (h) Sidewalk along Enslen Ave. at 606 W. Roseburg Ave., Portion of Block 738. (Darrel F. Hattendore)
  - (i) Sidewalk at 825 Enslen Ave., Lot 1 of Block 715.  
(Dexter C. Hogin)
  - (j) Sidewalk at 1113 Enslen Ave., Portion of Block 738.  
(Horace P. Ledoux)
  - (k) Sidewalk at 1109 Enslen Ave., portion of Block 738.  
(Eleanor B. Nemeth)
  - (l) Sidewalk at 1101 Enslen Ave., portion of Block 738.  
(Thomas R. Olson)
  - (m) Sidewalk at 1233 Enslen Ave., Lot 9 of Block 6052.  
(John Perino)
  - (n) Sidewalk at 823 Enslen Ave., Lot 2 of Block 715.  
(Nellie E. Peterson)
  - (o) Sidewalk at 1229 Enslen Ave., Lot 10 of Block 6052.  
(Fred C. Price)
  - (p) Sidewalk along Enslen Ave. at 608 W. Fairmont Ave., Lot 1 and the north 25 feet of Lot 2 of Block 719. (Blair L. Ryder)
  - (q) Sidewalk at 1310 Enslen Ave., portion of Block 6053.  
(Stephen A. Salvo)
  - (r) Sidewalk at 1117 Enslen Ave., portion of Block 738.  
(Earl J. Smith)
  - (s) Sidewalk at 1341 Enslen Ave., Lot 25 of Block 6007.  
(John A. Vieira)
  - (t) Sidewalk along Enslen Ave., at 520 Mensinger Ave., portion of Block 737. (Harold B. White)
  - (u) Curb and sidewalk along Enslen Ave. and Coldwell Ave. at 601 Coldwell Ave., Lot 12 of Block 715 - (Carl L. Rohlwing)

CONSENT

17. Requirement for construction of curbs and/or sidewalks, continued.

- (v) Sidewalk at 1103 Enslin Ave., portion of Block 738.  
(Robert H. Wilson)
- (w) Sidewalk at 1317 Enslin, Lot 2, Block 6252.  
(Everett G. Woodworth)

ACTION: Res. 76-275 adopted setting hearings. (P/W to handle)

CONSENT

18. Consider approval of final map of the Lakewood Gardens 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. (The subdivision agreement has been signed and all fees paid. This subdivision is located at the southeast corner of Lakewood Avenue and East Orangeburg Avenue. It contains 16.202 acres. Resolution approving final map needed)

ACTION: Res. 76-276 adopted approving final map. (Clerk to handle)

REPORTS

19. Staff report concerning complaints by neighbors surrounding Twentieth Century Apartment complex.  
(Memo with agenda. Motion approving staff recommendations needed. Appropriation transfer for needed funds will be requested later following Council action)

ACTION: By motion (Elliott/Kullijian, unan.) staff recommendations approved.

CONSENT

20. Report on United Air Lines, Inc. request for increased intrastate air freight rates.  
(Memo with agenda. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

21. County referral of Open Space Contract applications:  
(15 Resolutions expressing recommendation of opposition; 1 resolution recommending no opposition (Cicarelli) to the County Board of Supervisors)

- (a) 76-2241, Arlo & Marvene Hilkey.

ACTION: Res. 76-277 adopted expressing recommendation of opposition.

- (b) 76-2168, Vernon & Susan Goldsberry.

ACTION: Res. 76-278 adopted expressing recommendation of opposition.

- (c) 76-2396, Samuel & Mary Courtney.

ACTION: Res. 76-279 adopted expressing recommendation of opposition.

- (d) 76-2397, Sam & Geraldine Paregian.

ACTION: Res. 76-280 adopted expressing recommendation of opposition.

CONSENT

21. County referral of Open Space Contract applications, continued.

(e) 76-2160, Kamstra.

ACTION: Res. 76-281 adopted expressing recommendation of opposition.

(f) 76-2228, Cleveland

ACTION: Res. 76-282 adopted expressing recommendation of opposition.

(g) 76-2091, Nadalet.

ACTION: Res. 76-283 adopted expressing recommendation of opposition.

(h) 76-2283, Mottoon

ACTION: Res. 76-284 adopted expressing recommendation of opposition.

(i) 76-2388, Coleman.

ACTION: Res. 76-285 adopted expressing recommendation of opposition.

(j) 76-2389, Taylor.

ACTION: Res. 76-286 adopted expressing recommendation of opposition.

(k) 76-2118, DeBoer (Clarence & Rosa).

ACTION: Res. 76-287 adopted expressing recommendation of opposition.

(l) 76-2117, Clara DeBoer.

ACTION: Res. 76-288 adopted expressing recommendation of opposition.

(m) 76-2273, Cornelius Tillema & Beverly.

ACTION: Res. 76-289 adopted expressing recommendation of opposition.

(n) 76-2119, Hazel G. Schuler.

ACTION: Res. 76-290 adopted expressing recommendation of opposition.

(o) 76-2420, LoConte.

ACTION: Res. 76-291 adopted expressing recommendation of opposition.  
(Planning to handle)

(p) 76-2111, Ciccarelli.

ACTION: Res. 76-292 adopted expressing recommendation of no opposition.  
(Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

22. Consider modification/rearrangement of equipment service shop.  
(Memo with agenda. (1) Motion approving modification rearrangement of equipment service shop; (2) Resolution approving appropriation transfer needed. Estimated cost \$12,500)

ACTION: By motion, modification and rearrangement approved. (P/W to handle)

Res. 76-293 adopted approving appropriation transfer of \$12,500 from Account 60-205 to Account 5203-020-205. (Finance to handle)

CONSENT

23. Consider appropriation transfer.  
(Additional funds are needed in Account 8369-31-321, Sonoma School Park Pool. \$33,000 was budgeted for the Sonoma School Park Pool construction. Actual cost to be paid by City of Modesto per invoice is \$41,983.14. City Resolution 74-594 authorized an expenditure of 25% of cost or \$45,000, whichever is less. An appropriation transfer of \$8,984 from the General Reserve (60-800-321) to the Sonoma School Park Pool project (8369-310-321) is necessary to fulfill the City's obligation. Resolution approving transfer needed)

ACTION: Res. 76-294 adopted approving appropriation transfer of \$8,984 from Account 60-321 to Account 8369-31-321. (Finance to handle)

MISCELLANEOUS

24. Legislation.

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

Res. 76-295 adopted (Mensing/Newton, maj. - Kullijian, no - Dunlap and Siefkin, absent) opposing limitations of revenue to Community College Districts. (Clerk to handle)

25. Appointments.

ACTION: Res. 76-296 adopted (Siefkin/Elliott, unan. - Dunlap, absent) appointing Cheril Ebright as the representative of the Modesto Youth Commission on the Human Rights Commission for a term ending December 1, 1976. (Clerk to handle)

26. Matters too late for the agenda.

NONE

Adjournment at 11:05 P.M.

ATTEST:   
W. T. CHINOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 17, 1976 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,  
Siefkin, Mayor Davies  
Absent: None  
(Councilmember Newton arrived at 4:07 P.M. and  
Councilmember Elliott was excused at 4:30 P.M.)

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

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 5, 6, 12, 14, 16, 18,  
Items 4, 15 and 17 removed from consent 20, 21, 22, 23, 24  
Siefkin/Dunlap, unan. - Newton, absent

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for his study. Unless some councilmember or member of the audience has a question concerning a particular 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of February 9, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request for financial assistance to Modesto High School Band for performance tour of Southern California, April 29 through May 2.

ACTION: By motion (Dunlap/Kullijian, maj. - Elliott, Siefkin and Davies, no) \$250 granted to Band.

Res. 76-297 adopted (Dunlap/Kullijian, maj. - Elliott, Siefkin and Davies, no) approving appropriation transfer of \$250 from Account 60-101 for this purpose. (Finance to handle)

By motion (Kullijian/Mensinger, unan.) staff directed to prepare criteria for Council to consider in connection with future requests of this type; report to include maximum which could possibly be given. (C/Mgr to handle)

3. Request of Modesto Rotary North for permission to build bus stop shelters to be donated to City.

ACTION: By motion (Mensinger/Siefkin, unan.) concept approved subject to staff approval of type and location. (P & T to handle)

4. Notice by Tom Berglund of cancellation of agreement with City effective June 30, 1976.  
(Resolution approving needed)

ACTION: Res. 76-298 adopted (Elliott/Mensinger, unan.) approving cancellation of agreement. (Clerk to handle)

By motion (Elliott/Mensinger, unan.) staff directed to send letter of commendation to Mr. Berglund. (Clerk to handle)

## BIDS

### CONSENT

5. Consider award of contract for construction of waterlines in Sylvan Meadows East No. 2.  
(Bids were opened February 10, 1976. The low bid of \$21,460 submitted by Joe Martin, which is 9% below the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$21,460. Funds are budgeted)

ACTION: Res. 76-299 adopted awarding contract to Joe Martin. (P/W to handle)

### CONSENT

6. Consider award of contract for construction of Phase I at Coleman F. Brown Park.  
(Bids were opened on February 10, 1976. The low bid submitted by Lee White Paving for \$61,457.64, which is 27% under the Engineer's Estimate, is considered acceptable. It is recommended that contract be awarded to them. Resolution needed. Estimated cost \$61,457.64. Funds are budgeted)

ACTION: Res. 76-300 adopted awarding contract to Lee White Paving. (P/W to handle)

## HEARINGS

7. Hearing on amendment to Sections 23-3-9/of zoning map and 14-3-9 4:00 P.M.  
to rezone from R-1 to P-0, property located on the north side of St. Paul's Way, east of Oakdale Road.  
(Stanislaus Medical Assn.)

ACTION: Ord. No. 1496-C.S. introduced (Newton/Kullijian, maj. - Siefkin, no - Elliott, absent) amending Sections 23-3-9/ and 14-3-9. (Clerk to handle)  
Res. 76-301 adopted (Newton/Kullijian, maj. - Siefkin, no - Elliott, absent) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

8. Hearing on amendment to Chapter 2 of Title X of Municipal Code relating to applications for zone changes and use permits. 4:05 P.M.

ACTION: Ord. No. 1497-C.S. introduced (Kullijian/Dunlap, unan. - Elliott, absent) amending code. (Clerk to handle)

9. Hearing on amendments to Titles 6, 9 and 10 of the Municipal Code pertaining to garage and patio sales. 4:10 P.M.

ACTION: Ord. No. 1498-C.S. introduced (Siefkin/Newton, maj. - Kullijian, no - Elliott, absent) amending Title 6.  
Ord. No. 1499-C.S. introduced (Siefkin/Newton, maj. - Kullijian, no - Elliott, absent) amending Title 9.  
Ord. No. 1500-C.S. introduced (Siefkin/Newton, maj. - Kullijian, no - Elliott, absent) amending Title 10. (Clerk to handle)

10. Hearing on application of Doctors Ambulance of Modesto, Inc. for licenses to operate three ambulances and one limited ambulance in the City of Modesto. 4:15 P.M.

ACTION: Res. 76-302 adopted (Dunlap/Mensing, unan. - Elliott, absent) granting license for three ambulances.

Res. 76-303 adopted (Dunlap/Mensing, unan. - Elliott, absent) granting license for one limited ambulance. (Clerk to handle)

11. Matters for the good of the community. 4:20 P.M.  
(These may be presented by interested persons in the audience)

ACTION: Dr. George Valentine asked for information as to the authority of the Council to use parking meter money for the purchase of parking lots.

#### ORDINANCES

##### CONSENT

12. Final adoption of Ordinance No. 1495-C.S. amending the parking meter map.  
(Motion adopting needed)

ACTION: By motion, Ord. No. 1495-C.S. adopted. (Clerk to handle)

#### UNFINISHED BUSINESS

13. Further consideration of applications for Area VI Health Systems Agency.

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

Following discussion, it was agreed to take no action at this time.

#### NEW BUSINESS

##### CONSENT

14. Agreement with Recreation Systems, Inc.  
(Agreement provides that Recreation Systems, Inc., landscape architects, will prepare a master plan for Beyer Park for a sum not to exceed \$8,140, to be ready by June 30, 1976. This is a typical type landscape agreement. Resolution approving agreement needed)

ACTION: Res. 76-304 adopted approving agreement. (P & R to handle)

15. Consider placing information signs on barricades at the ends of dead-end streets.  
(Memo with agenda. Motion approving staff recommendations needed)

ACTION: By motion (Dunlap/Siefkin, unan.) recommendations approved as amended by Council (only suggest that City Hall be called for information). (P/W to handle)

CONSENT

16. Requirement for construction of curbs and/or sidewalks at the locations 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 notice. Resolution setting 4:10 P.M. on March 15, 1976 for hearings needed)
- (a) Sidewalk along Stoddard Ave. at 401 Virginia Ave., a portion of Block 453. (Lorraine C. Brown)
  - (b) Curb and sidewalk at 1108 Stoddard Ave., Lot 2, Block 447. (Lloyd G. Burns)
  - (c) Sidewalk along Stoddard Ave. at 1130 Stoddard Ave., Lots 1 Through 5, Block 445. (Theodore M. Cook)
  - (d) Sidewalk at 907 Stoddard Ave., Lot 9, Block 453. (Leonard J. East)
  - (e) Curb and sidewalk at 1114 Stoddard Ave., Lot 3, Block 447. (Easter Seal Society)
  - (f) Curb and sidewalk at 1116 Stoddard Ave., Lot 4, Block 447. (Easter Seal Society)
  - (g) Curb and sidewalk along Stoddard Ave. at 1122 Stoddard Ave., Lot 5, Block 447. (Easter Seal Society)
  - (h) Sidewalk along Stoddard Ave. at 400 Myrtle Ave., Lots 22 and 23, Block 456. (Charles C. Forsyth)
  - (i) Sidewalk along Stoddard Ave. at 350 Madonia Ave., Lots 1 and 2, Block 448-A. (Grange Co.)
  - (j) Sidewalk along Stoddard Ave. at 407 N. Olive, Lot 21, Block 456. (Paul L. Martelli)
  - (k) Curb and sidewalk along Stoddard Ave. at 315 Virginia Ave., Lot 10, Block 513. (Wilma B. Long)
  - (l) Sidewalk along Stoddard Ave. at 401 Myrtle Ave., Lots 23 and 24, Block 457. (Charles W. Moody)
  - (m) Sidewalk at 901 Stoddard Ave., Lot 8, Block 453. (James P. Oleson)
  - (n) Curb and sidewalk along Stoddard Ave. at 318 Orange Ave., Lot 1 of Block 513. (Dan C. Richardson)
  - (o) Sidewalk along Stoddard Ave. at 250 Tully Road, Lots 4 through 10, Block 444. (Gerald Schweitzer)

ACTION: Res. 76-305 adopted setting hearings. (P/W to handle)

17. Amendment to application for State Park Bond Fund.  
(Memo with agenda. Resolution approving amendment needed)

ACTION: Res. 76-306 adopted (Dunlap/Siefkin, maj. - Kullijian, no - Elliott, absent) approving amendment to application. (P & R to handle) (East La Loma Neighborhood Park)

Res. 76-306-A adopted (Dunlap/Siefkin, maj. - Kullijian, no - Elliott, absent) approving amendment to application. (Sylvan Neighborhood Park) (P & R to handle)

CONSENT

18. Agreement with Environmental Assessment and Resource Planning, Inc. (Agreement provides that Environmental Assessment and Resource Planning, Inc. will prepare a master plan for Standiford No. 2 Neighborhood Park for a sum not to exceed \$5,500, to be ready by April 16, 1976. Resolution approving agreement needed)

ACTION: Res. 76-307 adopted approving agreement. (P & R to handle)

19. Letter from Fritz Earle III.  
(Letter from Fritz Earle III offering to give the City of Modesto 26 tennis racquets for use in the junior tennis program. Motion accepting gift of tennis racquets and directing that a letter of appreciation be sent needed)

ACTION: By motion (Kullijian/Siefkin, unan.) gift accepted and staff directed to send letters of appreciation to donors. (P & R to handle)

CONSENT

20. Letter from Dwayne E. Lilly, 345 Rosina Ave., Modesto, offering to give the City of Modesto two speakers and cloth for the speaker boxes, to be installed in the Senior Citizens Center.  
(Motion accepting gift and directing that a letter of appreciation be sent, needed)

ACTION: By motion, gift accepted and staff directed to send letter of appreciation. (Clerk to handle)

CONSENT

21. (a) Resolution of intention to close Hudson Lane to vehicular traffic.

ACTION: Res. of Int. No. 363 (1326-S.P.) adopted setting hearing.  
(Clerk to handle)

- (b) Resolution of intention to close Sheridan Alley to vehicular and pedestrian traffic.  
(These closures were discussed by the Council at its meeting of February 9, 1976 as a result of recommendations by the City staff resulting from meetings with the property owners in the vicinity of Twentieth Century apartments. Two resolutions setting March 8, 1976 at 7:35 P.M. for hearings needed)

ACTION: Res. of Int. No. 364 (1327-S.P.) adopted setting hearing. (Clerk to handle)

REPORTS

CONSENT

22. Pacific Telephone request for increased rates.  
(Memo with agenda. Increase is about 4%. It is recommended that the matter be left to the P.U.C. Motion acknowledging receipt of the report needed)

ACTION: By motion, receipt of report acknowledged.

CONSENT

23. Quarterly report, October-December, 1975 and annual summary on Ecology Action curbside recycling program.  
(The salvageable waste license issued to Ecology Action requires periodic reports on their activities. Their report for the fourth quarter of 1975 is submitted to Council indicating tonnages and income generated for that period, along with an annual summary. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

CONSENT

24. Presentation of financial statement for January 1976.  
(Copies of report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

MISCELLANEOUS

25. Legislation.

NONE

26. Appointments.

NONE

27. Matters too late for the agenda.

NONE

Adjournment at 5:40 P.M.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, FEBRUARY 23, 1976 AT 7:30 P.M.

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

Absent: None  
(Councilmember Kullijian was excused at 9:45 P.M.)

Pledge of allegiance to the Flag.

Invocation by Father Thomas Foster, St. Paul's Episcopal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 5, 6, 7, 8, 9, 16, 17,  
Dunlap/Siefkin, unan. 19, 20, 22

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of February 17, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request of residents in McHenry, Johnson, Lee and Grant area for assistance in connection with traffic, noise and litter problems.

ACTION: After a presentation by the residents, it was agreed that staff would study this matter further and report to Council on March 22.  
(C/Mgr to handle)

3. Request of E. Clampus Vitus for use of park area west of Mitchell Road bridge for meeting to be held April 3, 1976.

ACTION: Res. 76-308 adopted (Elliott/Kullijian, unan.) granting encroachment permit subject to conditions recommended by staff. (P & R to handle)

4. Request of Kenneth Sutherland for discussion concerning Bicentennial sign at his place of business, 1055 West Orangeburg.

ACTION: By motion (Elliott/Dunlap, unan.) staff directed to prepare emergency ordinance for consideration by Planning Commission and Council; ordinance to permit Bicentennial banners under certain conditions. (C/Atty and Planning to handle)

## BIDS

### CONSENT

5. Approve plans and specifications for traffic signals at Carpenter and Blue Gum and authorize call for bids.  
(Memo with agenda. Completion date is August 31, 1976. Resolution approving plans, specifications and call for bids to be received by March 23, 1976 at 2:00 P.M. needed. Estimated cost \$23,000. Appropriation transfer to be requested later, which will be based on lowest bid received, plus engineering and inspection costs.)

ACTION: Res. 76-309 adopted approving plans, specifications and bid call.  
(Clerk to handle)

### CONSENT

6. Consider approval of plans, specifications and call for bids for construction of public improvements in the housing target area.  
(Suggested bid opening March 9, 1976 at 11:00 A.M. This project has been budgeted to construct the remaining street and alley improvements in this area. Resolution approving bid call needed. Estimated cost \$25,423.75. (\$23,112.50; Engr. \$2,311.25). Funds are budgeted)

ACTION: Res. 76-310 adopted approving plans, specifications and bid call.  
(Clerk to handle)

### CONSENT

7. Consider approval of plans, specifications and call for bids for construction of sewer extension at United Airlines Terminal.  
(Suggested bid opening March 9, 1976 at 11:10 A.M. This sewer extension will eliminate the existing septic tank service at the United Airlines Terminal. Resolution approving bid call needed. Estimated cost \$5,217.50; (\$4,742.50, Const.; \$475.00, Engr.) Funds are budgeted)

ACTION: Res. 76-311 adopted approving plans, specifications and bid call.  
(Clerk to handle)

### CONSENT

8. Consider acceptance of Modesto Sand & Gravel's contract for construction of additional rip rap on oxidation pond levee.  
(Original contract \$16,200.00. 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 record notice of completion. Resolution accepting work as complete needed. Final cost \$16,280.19. Funds are budgeted)

ACTION: Res. 76-312 adopted accepting contract. (Clerk to handle)

### CONSENT

9. Consider acceptance of May Electric Co.'s contract for construction of Airport Apron Security Lighting.  
(Original contract \$5,275.00. 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 record notice of completion. Resolution accepting work as complete needed. Final cost \$5,315.11. Funds are budgeted)

ACTION: Res. 76-313 adopted accepting contract. (Clerk to handle)

HEARINGS

10. Hearings on cost of construction of alley improvements at the block and lot numbers listed below:

7:30 P.M.

BLOCK 231 - Santa Rosa Ave. - La Loma Ave. - Bonita Ave.

- (a) Aron Saks, Lot 1 - \$41.32.  
(Paid - drop from agenda)

DROPPED

- (b) Geraldine P. Asell, Lot 2 - \$112.65.

ACTION: Res. 76-314 adopted (Kullijian/Newton, unan.) confirming report, assessing cost and directing method of collection. (Finance to handle)

- (c) Newille, Lot 3 - \$126.38.

ACTION: Res. 76-315 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (d) Dessie Humphrey, Lot 4 - \$142.50.  
(Paid - drop from agenda)

DROPPED

- (e) Ray Wandell, Lot 5 - \$232.19.  
(Paid - drop from agenda)

DROPPED

- (f) James L. and Georgia Bray, Lot 6 - \$142.50.  
(Paid - drop from agenda)

DROPPED

BLOCK 354 - Western Way - South Ave. - Alturas Ave. - Leon Ave.

- (a) Dovie L. Rosa, Lot 1-2, \$100.95.  
(Paid - drop from agenda)

DROPPED

- (b) Alice M. Martin, Lots 3-4 - \$100.95.

ACTION: Res. 76-316 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (c) William G. and Connie D. Johnson, Lots 5-6 - \$100.95.

ACTION: Res. 76-317 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (d) Earl and Beulah Mayo, Lots 7-8 - \$100.95.  
(Paid - drop from agenda)

DROPPED

- (e) Gerald L. and Diane J. Garner, Lots 9-10 - \$100.95.

ACTION: Res. 76-318 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

10. Hearings, alley improvement costs, continued.

7:30 P.M.

BLOCK 354 - Western Way - South Ave. - Alturas Ave. - Leon Ave.

- (f) Elodene B. Rolfe, Lots 11-12 - \$100.95.  
(Paid - drop from agenda)

DROPPED

- (g) Sam C. Lowrie, Lots 13-14 - \$100.95.

ACTION: Res. 76-319 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (h) Thomas M. and Leslye A. Hull, Lots 15-16 - \$100.95.

ACTION: Res. 76-320 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (i) John and Della Mata, Lots 17-18 - \$100.95.  
(Paid - drop from agenda)

DROPPED

- (j) Fern Biles, Lots 19-20 - \$100.95.  
(Paid - drop from agenda)

DROPPED

- (k) Neva E. and Marie T. Harris, Lots 21-22 - \$100.95.  
(Paid - drop from agenda)

DROPPED

- (l) Cleveland and Ann Burgin, Lots 23-24 - \$100.95.  
(Paid - drop from agenda)

DROPPED

- (m) James W. and Mabel Crumpley, Lots 25-26 - \$100.95.  
(Paid - drop from agenda)

DROPPED

- (n) Edward Schamburg, Lots 27-28 - \$100.95.  
(Paid - drop from agenda)

DROPPED

- (o) Harold A. & Gertrude V. Parker, Lots 29-30 - \$100.95.

ACTION: Res. 76-321 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (p) Arthur L. and Anne E. Owen, Lots 31-32 - \$100.95.  
(Paid - drop from agenda)

DROPPED

- (q) Gertrude Vincelet, Lots 33-34 - \$100.95.  
(Paid - drop from agenda)

DROPPED

10. Hearings, alley improvement costs, continued.

7:30 P.M.

BLOCK 354 - Western Way - South Ave. - Alturas Ave. - Leon Ave.

(r) William B. and Lillian Gordon, Lots 35-36 - \$100.95.

ACTION: Res. 76-322 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(s) Kathleen M. Sleeman, Lots 37-38 - \$100.95.  
(Paid - drop from agenda)

DROPPED

(t) Anita Carillo, Lots 39-40 - \$100.95.

ACTION: Res. 76-323 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(u) Jerry L. and Dorvalina P. Clark, Lots 41-42, - \$100.95.

ACTION: Res. 76-324 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(v) Lorene Rhodes, Lots 43-44 - \$100.95.

ACTION: Res. 76-325 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(w) Fannie L. Sharpnack, Lots 45-46 - \$100.95.

ACTION: Res. 76-326 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(x) Harry S. and Edith Paul, Lots 47-48 - \$100.95.

ACTION: Res. 76-327 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 406 - Jefferson St. - Washington St. - Spruce St. - Vine St.

(a) Flossie Boyd, Lots 1-2 - \$93.40.  
(Paid - drop from agenda)

DROPPED

(b) Rosalinda Navarro, Lots 3-5 - \$140.10.

ACTION: Res. 76-328 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(c) Rosalinda Navarro, Lots 6-7 - \$93.40.

ACTION: Res. 76-329 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(d) John P. and Robbie L. White, Lots 8-9 - \$93.40.

ACTION: Res. 76-330 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

10. Hearings, alley improvement costs, continued.

7:30 P.M.

BLOCK 406 - Jefferson St. - Washington St. - Spruce St. - Vine St.

(e) Laverne Z. Duarte, Lots 10-11 - \$93.40.

ACTION: Res. 76-331 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(f) Salvadore and Marie de Jesus B. Vera, Lot 12 - \$46.70.  
(Paid - drop from agenda)

DROPPED

(g) Carl H. and Zella R. Hamilton, Lots 13-14 - \$93.40.  
(Paid - drop from agenda)

DROPPED

(h) Carl H. and Zella R. Hamilton, Lots 15-16-17, \$140.10.  
(Paid - drop from agenda)

DROPPED

(i) Carl H. and Zella R. Hamilton, Lots 18-19 - \$93.40.  
(Paid - drop from agenda)

DROPPED

(j) Leo and Minnie Suda, Lots 20-21 - \$93.40.  
(Paid - drop from agenda)

DROPPED

(k) Eleanor Terzian, Lots 22-23 - \$93.40.

ACTION: Res. 76-332 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(l) Bessie Clark, Lots 24-25 - \$93.40.

ACTION: Res. 76-333 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(m) Paul P. and Odessa D. Green, Lots 26-27-28 - \$140.10.

ACTION: Res. 76-334 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 6049 - West Orangeburg Ave. - College Ave. - Cornell Ave.

(a) Lambert and Florence Sikkema, Lot 1 - \$107.12.

(b) Raymond and Jessie N. Ketcher, Lot 2 - \$110.81.

(c) Jay H. Elmore, Lot 3 - \$106.38.

(d) Charles E. and Helen Dowler, Lot 4 - \$106.38.

(e) Dennis R. and Wanda L. Puthuff, Lot 5 - \$106.38.

(f) William V. and Dorothy A. Iam, Lot 6 - \$110.81.

(g) W. M. and Mable Fugit, Lot 7 - \$115.24.

BLOCK 6049 - West Grangsburg Ave. - College Ave. - Connell Ave.

- (h) Ralph E. and Maud E. Moore, Lot 8 - \$265.82.
- (i) Mark N. and Elizabeth W. Essa, Lot 9 - \$35.46.
- (j) College Avenue Congregational Church, corner lot - \$1,099.86.  
(Paid - drop from agenda)

DROPPED

ACTION: By motion (Kullijian/Newton, unan.) hearings on Block 6049 continued to March 1, 1976 at 4:10 P.M. (Clerk to handle)

BLOCKS 6113 AND 6114 - Glenwood Dr. - Pearl St. - Kearney Ave. - Tully Rd.

- (a) Jack Fulton, Lot 12 - \$133.51

ACTION: Res. 76-335 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (b) John R. and Hazel H. Stewart, Lot 13 - \$131.01.

ACTION: Res. 76-336 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (c) Timothy A. and Lora M. Lawrence, Lot 14 - \$111.16.  
(Paid - drop from agenda)

DROPPED

- (d) Don C. and Linda J. Starr, Lot 15 - \$150.89.

ACTION: Res. 76-337 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (e) Walter F. and Helen Davis, Lot 16 - \$131.01.

ACTION: Res. 76-338 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (f) Claude L. and Dorothy Baker, Lot 17 - \$131.01.  
(Paid - drop from agenda)

DROPPED

- (g) David N. and Joanna Coito, Lot 18 - \$131.01.  
(Paid - drop from agenda)

DROPPED

- (h) Jon F. and Patricia A. Turner, Lot 19 - \$131.01.

ACTION: Res. 76-339 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (i) Paul J. and Josephine Demboski, Lot 20 - \$131.01.  
(Paid - drop from agenda)

DROPPED

10. Hearings, alley improvement costs, continued.

7:30 P.M.

BLOCKS 6113 AND 6114 - Glenwood Dr. - Pearl St. - Kearney Ave. - Tully Rd.

(j) Kenneth E. and Cheryl G. Wendt, Lot 21 - \$131.01.

ACTION: Res. 76-340 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(k) Amos D. and Dorothy L. Cobb, Lot 1 - \$137.72.  
(Paid - drop from agenda)

DROPPED

(l) Kermit L. and Opal E. Breshears, Lot 2 - \$115.13.

ACTION: Res. 76-341 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(m) Steven E. and Constance A. Brimm, Lot 3 - \$115.13.

ACTION: Res. 76-342 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(n) Ernest L. and Catherine Corda, Lot 4 - \$115.13.

ACTION: Res. 76-343 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(o) Robert E. and Linda F. Bungardner, Lot 5 - \$115.13.

ACTION: Res. 76-344 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(p) Kenneth D. and Sherrin Rae Oyer, Lot 6 - \$115.13.

ACTION: Res. 76-345 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(q) Ray M. and Jeannine M. Dahlgren, Lot 7 - \$115.13.

ACTION: Res. 76-346 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(r) Brina P. and Linda K. Sutton, Lot 8 - \$115.13.

ACTION: Res. 76-347 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(s) Robert and Barbara Harty, Lot 9 - \$115.13.

ACTION: Res. 76-348 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(t) Lee A. and Harriet Hills, Lot 10 - \$115.13.

ACTION: Res. 76-349 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

10. Hearings, alley improvement costs, continued.

7:30 P.M.

BLOCKS 6113 AND 6114 - Glenwood Dr. - Pearl St. - Kearney Ave. - Tully Rd.

(u) Antonio Monaco, East 64 feet of Lot 11 - \$127.04.

ACTION: Res. 76-350 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(v) Marcella M. Teufel, Lot 12 and west 2 feet of Lot 11 - \$134.98.  
(Paid - drop from agenda)

DROPPED.

(w) Gerald L. and Barbara J. Hanson, East 60 feet of Lot 13 - \$119.10.

ACTION: Res. 76-351 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(x) John Carlson and Marjorie A. Sample, Lot 14 and west 6 feet of Lot 13 - \$142.92.

ACTION: Res. 76-352 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(y) Jimmie L. and Irene Coats, Lot 15 - \$131.01.  
(Paid - drop from agenda)

DROPPED

(z) George E. and Rosanna D. Volfi, East 56 feet of Lot 16 - \$111.16.  
(Paid - drop from agenda)

DROPPED

(aa) Leno Pometta & William Caporgn, west 8 feet of Lot 16 and east 48 feet of Lot 17 - \$111.16.  
(Paid - drop from agenda)

DROPPED

(bb) Herman F. and Irmadean Bird, West 12 feet of Lot 17 and east 50 feet of Lot 18 - \$123.07.  
(Paid - drop from agenda)

DROPPED

(cc) Anna L. Fagundes & Gloria J. Fagundes, Lot 19 and west 10 feet of Lot 18 - \$144.59.  
(Paid - drop from agenda)

DROPPED

(dd) Henry and Corine K. Wood, Lot 1 and west 9 feet of Lot 2 - \$132.99.

ACTION: Res. 76-353 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(ee) Dee & Esther Goulart, East 42 feet of Lot 3 and West 25 feet of Lot 4 - \$132.99.

ACTION: Res. 76-354 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

10. Hearings, alley improvement costs, continued.

7:30 P.M.

BLOCKS 6113 AND 6114 - Glenwood Dr. - Pearl St. - Kearney Ave. - Tully Rd.

- (ff) George P. and Dimitra Kufis, East 34 feet of Lot 4 and West 35 feet of Lot 5 - \$136.96.  
(Paid - drop from agenda)

DROPPED

- (gg) Charles S. Cole, East 24 feet of Lot 5 and West 43 feet of Lot 6 - \$132.99.

ACTION: Res. 76-355 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (hh) Eldon L. and Manda Helm, East 16 feet of Lot 6 and West 53.5 feet of Lot 7 - \$137.96.

ACTION: Res. 76-356 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (ii) Zylpha S. Hook, Lot 8 and East 5.5 feet of Lot 7 - \$128.03.

ACTION: Res. 76-357 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (jj) Dilmus N. and J. Nerine Kine, Lot 9 - \$117.11.

ACTION: Res. 76-358 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (kk) Billy E. and Eleanore Wasson, Lot 10 - \$117.11.

ACTION: Res. 76-359 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (ll) Goldie E. Fair, Lot 11 - \$124.50.

ACTION: Res. 76-360 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (mm) Clifford E. and Esther L. Briggs, East 50 feet of Lot 2 and West 17 feet of Lot 3 - \$132.99.

ACTION: Res. 76-361 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 6181 - Northern Blvd. - Granger Ave. - Bronson Ave. - Carlton Ave.

- (a) Manuel B. and Anna Schmidt, Lot 1 - \$128.28.  
(Paid - drop from agenda)

DROPPED

- (b) John A. and Margaret L. Jackson, Lot 2 - \$108.75.

ACTION: Res. 76-362 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

10. Hearings, alley improvement costs, continued.

7:30 P.M.

BLOCK 6181 - Northern Blvd. - Granger Ave. - Bronson Ave. - Carlton Ave.

- (c) James D. and Belva F. Murphy, Lot 3 - \$108.75.  
(Paid - drop from agenda)

DROPPED

- (d) Bonno V. and Janna V. Kroeze, Lot 4 - \$108.75.

ACTION: Res. 76-363 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (e) Nicia and Teresa Carlos, Lot 5 - \$108.75.

ACTION: Res. 76-364 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (f) Anna P. Schnabel, Lot 6 - \$108.75.

ACTION: Res. 76-365 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (g) Joe T. and Rena B. Foster, Lot 7 - \$108.75.

ACTION: Res. 76-366 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (h) Garry and Jacoba Sluys, Lot 8 - \$108.75.

ACTION: Res. 76-367 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (i) Charles W. and Shirley Vaughan, Lot 9 - \$108.75.

ACTION: Res. 76-368 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (j) William H. and Patricia McNelly, Lot 10 - \$108.75.

ACTION: Res. 76-369 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (k) Bill William Burress, Lot 11 - \$108.75.

ACTION: Res. 76-370 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (l) Luther F. and Irma A. Jackson, Lot 12 - \$108.75.

ACTION: Res. 76-371 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (m) Jack D. Krieg, Lot 13 - \$108.75.  
(Paid - drop from agenda)

DROPPED

10. Hearings, alley improvement costs, continued.

7:30 P.M.

BLOCK 6181 - Northern Blvd. - Granger Ave. - Bronson Ave. - Carlton Ave.

(n) George Albert and Myrtle M. Sisson, Lot 14 - \$108.75.

ACTION: Res. 76-372 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(o) Edward L. and Dorothy E. Powell, Lot 15 - \$140.72.  
(Paid - drop from agenda)

DROPPED

(p) Phillip A. and Carolyn E. Alves, Lot 16 - \$140.46.

ACTION: Res. 76-373 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(q) William T. Pascoe, Lot 17 - \$108.75.

ACTION: Res. 76-374 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(r) Richard L. and Lynda J. McFarren, Lot 18 - \$108.75.

ACTION: Res. 76-375 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(s) Luther J. and Jean C. Lodwing, Lot 19 - \$108.75.  
(Paid - drop from agenda)

DROPPED

(t) George W. and Carole L. Crowley, Lot 20 - \$108.75.

ACTION: Res. 76-376 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(u) James D. and Sandra D. Grothe, Lot 21 - \$108.75.

ACTION: Res. 76-377 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(v) James W. and Billie J. Barrett, Lot 22 - \$108.75.  
(Paid - drop from agenda)

DROPPED

(w) Howard T. and Eunice L. Baker, Lot 23 - \$108.75.  
(Paid - drop from agenda)

DROPPED

(x) Herman L. and Mina J. Brukle, Lot 24 - \$108.75.  
(Paid - drop from agenda)

DROPPED

(y) Albert M. and Dorros S. George, Lot 25 - \$108.75.  
(Paid - drop from agenda)

DROPPED

10. Hearings, alley improvement costs, continued.

7:30 P.M.

BLOCK 6181 - Northern Blvd. - Granger Ave. - Bronson Ave. - Carlton Ave.

(z) Frank W. Herkner, Lot 26 - \$108.75.

ACTION: Res. 76-378 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(aa) Harold D. Mathis, Lot 27 - \$108.75.

ACTION: Res. 76-379 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(bb) Edward R. and Charlotte Zuhike, Lot 28 - \$108.75.

ACTION: Res. 76-380 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. Finance to handle)

(cc) Alfred L. and Carmella Roberts, Lot 29 - \$108.75.

ACTION: Res. 76-381 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(dd) Viola M. Sortors, Lot 30 - \$127.50.

ACTION: Res. 76-382 adopted (Kullijian/Newton, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

11. Hearing, amendment to Section 19-3-9 of the zoning map to rezone from R-3 to P-D, property located on the south side of West Orangeburg, west of Martin, to permit construction of a 100-unit motel.

7:35 P.M.

ACTION: Ord. No. 1501-C.S. introduced (Newton/Elliott, unan.) rezoning area. (Clerk to handle)

Res. 76-383 adopted (Newton/Elliott, unan.) approving development plan.

Res. 76-384 adopted (Newton/Elliott, unan.) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

12. Hearing, proposed amendment to P-D(21) to allow new uses. (Stone Bros.)

7:40 P.M.

ACTION: Res. 76-385 adopted (Mensingher/Elliott, unan.) amending development plan to substitute offices and bank for convalescent hospital in Phase 4. (Planning to handle)

Res. 76-385-A adopted (Mensingher/Elliott, unan.) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

13. Hearing, request of Lee White Paving Co. for permission to substitute Gilbert Goodrum in place of Lee Cain as subcontractor for construction of Phase I, Chrysler Park. (Memo with agenda)

7:45 P.M.

ACTION: Res. 76-386 adopted (Dunlap/Elliott, unan. - Kullijian, absent) consenting to substitution. (Clerk to handle)

14. Consider award of contract for construction of Phase I at Chrysler Park.

(Bids were opened February 17, 1976. The low bid submitted by Lee White Paving for \$50,800 which is 24% below the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Lee White Paving Co. needed. Estimated cost \$50,800. Funds are budgeted)

ACTION: Res. 76-387 adopted (Siefkin/Elliott, unan. - Kullijian, absent) awarding contract to Lee White Paving. (P/W 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

#### NEW BUSINESS

##### CONSENT

16. Resolutions withdrawing the following annexations from their respective fire districts:  
(These areas were annexed to the City of Modesto effective February 4, 1976. Three resolutions effecting the withdrawals needed)

(a) Robertson-Hays Addition - from the Burbank-Paradise Fire District;

ACTION: Res. 76-388 adopted withdrawing Addition from Fire District.

(b) Orangeburg-Lakewood No. 2 Addition - from McHenry-Dry Creek Fire District;

ACTION: Res. 76-389 adopted withdrawing Addition from Fire District.

(c) Lincoln No. 3 Addition - From the Empire Fire District and McHenry-Dry Creek Fire Districts.

ACTION: Res. 76-390 adopted withdrawing Addition from Fire District.  
(Clerk to handle)

##### CONSENT

17. Resolutions determining that the public interest and convenience require that the annexations listed below be annexed to the Modesto Municipal Sewer District No. 1 and naming time and place for hearings:  
(These areas were annexed to the City effective February 4, 1976.  
(Two-thirds affirmative vote required)

(a) Robertson-Hays Addition - suggested hearing date April 5, 1976 at 4:00 P.M.

ACTION: Res. 76-391 adopted setting hearing. (Clerk to handle)

(b) Orangeburg-Lakewood No. 2 Addition, suggested hearing date April 5, 1976 at 4:05 P.M.

ACTION: Res. 76-392 adopted setting hearing. (Clerk to handle)

(c) Lincoln No. 3 Addition, suggested hearing date April 5, 1976 at 4:10 P.M.

ACTION: Res. 76-393 adopted setting hearing. (Clerk to handle)

18. Requirement for construction of curbs and/or sidewalks at the following locations: Project No. 75/16/09-75-10.  
(Informal requests were sent to the property owners over thirty 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. (Councilmember Mensinger should be excused from consideration of this item due to a conflict of interest). Resolution setting 7:30 P.M. on March 22 for hearings needed)
- (a) Sidewalk at 1241 through 1245 McHenry Avenue, Lots 40 through 44 of Block 6000-A. (American Lumber Co.)
  - (b) Sidewalk at 1219 McHenry Ave., portion of Block 6000-A. (American Lumber Co.)
  - (c) Sidewalk at 931 McHenry Ave., portion of Blocks 727 and 728. (Deet Eichel Enterprises)
  - (d) Sidewalk along McHenry Ave. at 806 McHenry Ave., portion of Block 620. (Galas Brothers, Inc.)
  - (e) Sidewalk at 1539 McHenry Ave., portion of Block 6132. (Richard S. Hiall)
  - (f) Sidewalk along McHenry Ave. at 1501 and 1503 McHenry Ave., portion of Block 6060. (LaConte Brothers Farms, Inc.)
  - (g) Sidewalk at 1513 McHenry Ave., portion of Block 6060. (LaConte Brothers Farms, Inc.)
  - (h) Sidewalk along McHenry Ave. at 724 McHenry Ave., portion of Block 619. (Spiro Mellis)
  - (i) Sidewalk at 1700 McHenry Ave., portion of Block 1237. (Mult Benefit Realty Fund III)
  - (j) Sidewalk along McHenry Ave. at 1419 McHenry Ave., portion of Block 6059. (Paralyn Co.)
  - (k) Sidewalk at 1309 and 1313 McHenry Ave., portion of Block 6000-A. (Adrian E. Powell)
  - (l) Sidewalk along McHenry Ave. at 1343, 1345 and 1347 McHenry Ave., portion of Block 6000-A. (Homer J. Sergis)
  - (m) Sidewalk at 941 McHenry Ave., Lot 2, Block 727. (Russell E. Tonda)
  - (n) Sidewalk at 1321 McHenry Ave., portion of Block 6000-A. (Jack R. Watson)

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

Res. 76-394 adopted (Dunlap/Siefkin, unan. - Kullijian and Mensinger, absent) setting hearings. (P/W to handle)

#### CONSENT

19. Uninhabited annexation to the City of Modesto - Tenaya Addition.  
(This annexation is being heard by the Local Agency Formation Commission on February 20, 1976. As these are city-owned properties, we anticipate approval. It is necessary for the Council to approve this annexation at its February 23, 1976 meeting in order to make the March 1, 1976 tax deadline and avoid paying 1976-77 property taxes. Resolution approving annexation needed)

ACTION: Res. 76-395 adopted annexing Tenaya Addition to City of Modesto. (Clerk to handle)

CONSENT

20. Uninhabited annexation to the City of Modesto - McClure No. 1 Addition.

(This annexation is being heard by the Local Agency Formation Commission on February 20, 1976. As these are city-owned properties, we anticipate approval. It is necessary for the Council to approve this annexation at its February 23, 1976 meeting in order to make the March 1, 1976 tax deadline and avoid paying 1976-77 property taxes. Resolution approving annexation needed)

ACTION: Res. 76-396 adopted annexing McClure No. 1 Addition to City of Modesto. (Clerk to handle)

REPORTS

21. Report of mid-year budget status and recommended adjustments to appropriations.  
(Report with agenda. Motion accepting report and three resolutions approving appropriation transfers and resolution amending budget needed)

ACTION: By motion (Dunlap/Siefkin, unan. - Kullijian, absent) report accepted.

Res. 76-397 adopted (Dunlap/Siefkin, unan. - Kullijian, absent) approving appropriation transfer of \$12,200 from Account 60-101 to Accounts 210-300-101 (\$700); 210-340-101 (\$300); 210-350-101 (\$4,000); 210-370-101 (\$100); 210-380-101 (\$600); 210-390-101 (\$1,000); 210-500-101 (\$1,000); 210-520-101 \$4,500).

Res. 76-398 adopted (Dunlap/Siefkin, unan. - Kullijian, absent) approving appropriation transfer of \$9,005 from Account 60-101 to Accounts 217-090-101 (\$500); 110-130-101 (\$805); 110-140-101 (\$300); 235-02-210-101 (\$4,000); 224-350-101 (\$1,400); 223-520-101 (\$2,000).

Res. 76-399 adopted (Dunlap/Siefkin, unan. - Kullijian, absent) approving appropriation transfer of \$8,000 from Account 60-321 to Account 6130-210-321.

Res. 76-400 adopted (Dunlap/Siefkin, unan. - Kullijian, absent) amending budget. (Finance to handle)

APPROPRIATION TRANSFERS

CONSENT

22. Consider appropriation transfer to cover cost of repairs to the leak in the Tenaya Trunk Sewer at the Dry Creek crossing in Beard Brook Park.

(Memo with agenda. Resolution approving appropriation transfer of \$4,000 from General Reserve needed. Estimated cost \$4,000)

ACTION: Res. 76-401 adopted approving appropriation transfer of \$4,000 from Account 60-101 to Account 321-52-101. (Finance to handle)

MISCELLANEOUS

23. Legislation.

ACTION: By motion (Dunlap/Siefkin, unan.) SB 1550 opposed.  
By motion (Dunlap/Elliott, unan.) AB 301 opposed. (C/Mgr to handle)

24. Appointments.

NONE

25. Matters too late for the agenda.

ACTION: By motion (Mensingher/Elliott, unan.) Mayor authorized to transmit letter in support of application of Senior Opportunity Service Program for grant funds to operate nutritional program in the coming year. (C/Mgr to handle)

Adjournment at 10:05 P.M.

ATTEST:

*W. T. Chynoweth*  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

Modesto City Council  
Adjourned Special Meeting  
February 24, 1976

The Council of the City of Modesto met in Adjourned Special Meeting at 7:30 P.M. for further consideration of the Downtown Plan.

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

Absent: Councilmembers: Kullijian, Newton

The following tentative conclusions were reached:

- 1) The City is no longer interested in the Strand Theatre as a performing arts theatre.
- 2) Staff to undertake further feasibility studies on the "Lincoln School" and "Sears" locations for the auditorium and theatre.

The meeting was adjourned to March 2, 1976 at 7:30 P.M.

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 1, 1976 AT 4:00 P.M.

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

Absent: None  
(Councilmember Newton arrived at 4:05 P.M.)

Pledge of allegiance to the Flag.

Invocation by Pastor Kurtz, Seventh Day Adventist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 7, 8, 9, 10, 16, 18,  
Dunlap/Siefkin, unan. - Newton absent 19, 20, 21, 23, 24, 29, 30, 31,  
32

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

PRESENTATIONS

1. Presentation by Madrigal Singers of Modesto High School under the direction of Dennis Clark in recognition of Music in Schools Day which is March 4, 1976.

ACTION: The Madrigal Singers presented two numbers which were enthusiastically received by the Council and the audience.

APPROVAL OF MINUTES

CONSENT

2. Minutes of February 23 and 24, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

3. Request of Big Brothers of Stanislaus County for permission to have a City-wide softball tournament at Mellis and Beard Brook Parks during the period March 29 through April 3 or the week immediately proceeding or following. They also wish to have March 1 to 6 proclaimed as Big Brothers Week in Modesto.

ACTION: By motion (Elliott/Kullijian, unan.) request for use of parks denied as it is a fund-raising proposal. (Clerk to handle)

The Mayor agreed to issue the requested proclamation. (C/Mgr to handle)

CONSENT

4. Appeal by Mid-Valley Engineering to Planning Commission denial of request to delete requirement for improvement of new alignment of Scenic Drive in Eastridge Subdivision, Unit 6.  
(Resolution setting March 15, 1976 at 4:15 P.M. for hearing needed)

ACTION: Res. 76-402 adopted setting hearing. (Clerk to handle)

5. Request of Easter Seal Society for permission to have a softball tournament at Beard Brook, Davis and Mellis Parks on March 12, 13 and 14, 1976.

ACTION: By motion (Dunlap/Kullijian, unan.) request denied as it is a fund raising proposal. (Clerk to handle)

6. Request of Reverend Floyd W. Trammel to discuss HCDA Program.

ACTION: Reverend Trammel suggested several methods by which he thought the residents in the target area would be more involved in the program and receive greater benefits. Various facets of the program were explained by staff and Councilmembers.

CONSENT

7. Appeal by Long's Drug Stores to denial by Planning Commission of request for rezoning from R-1 to P-D to permit development of a community shopping center at the northwest corner of Oakdale Road and Floyd Ave.  
(Resolution setting March 22, 1976 at 7:55 P.M. for hearing needed)

ACTION: Res. 76-403 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

8. Consider acceptance of Overhead Electric Co.'s contract for Replacement of Lights at Del Webb Field. Original contract: \$36,663.00. (All work has been completed to the satisfaction of the Parks and Recreation and Public Works Departments. Therefore, it would be in order to accept the work as complete and to file the Notice of Completion. Final cost: Contract, \$37,563.00. Resolution needed)

ACTION: Res. 76-404 adopted accepting contract. (Clerk to handle)

CONSENT

9. Consider approval of specifications and authorize call for bids to be opened March 15, 1976 at 2:00 P.M. for furnishing microfilm equipment.  
(Memo with agenda. Resolution approving bid call needed. Estimated cost: \$7,600; Funds are budgeted)

ACTION: Res. 76-405 adopted approving specifications and bid call.  
(Clerk to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for construction of waterlines in Lakewood Gardens No. 2.  
(Suggested bid opening date is March 16, 1976 at 11:00 A.M. Costs and Revenues: Construction, \$17,445; Connection Charges, \$11,880; Net Revenue, \$940. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$17,445 (\$10,350 Const.; \$7,095 Engr. & Matls.). Funds are budgeted)

ACTION: Res. 76-406 adopted approving plans, specifications and bid call.  
(Clerk to handle)

HEARINGS

12. Hearing on amendment to Section 28-3-9 of zoning map to rezone to P-D to allow expansion of Modesto City Hospital and relocation of Octomedent parking on property on G, H and 17th Streets. 4:00 P.M.

ACTION: Ord. No. 1502-C.S. introduced (Elliott/Kullijian, unan.) rezoning area. (Clerk to handle)

Res. 76-407 adopted (Elliott/Kullijian, unan.) approving development plan. (Planning to handle)

Res. 76-408 adopted (Elliott/Kullijian, unan.) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

By motion (Dunlap/Mensing, unan.) staff directed to require masonry block wall on both parking lots. (Planning to handle)

13. Hearing on amendment to Section 18-3-9 of zoning map to rezone from R-1 and R-3 to P-D to allow construction of business and professional offices and a parking area at the southwest corner of Briggsmore and Tully. (Rule Development) 4:05 P.M.

ACTION: Ord. No. 1503-C.S. introduced (Newton/Siefkin, unan.) rezoning area. (Clerk to handle)

Res. 76-409 adopted (Newton/Siefkin, unan.) approving development plan. (Planning to handle)

Res. 76-410 adopted (Newton/Siefkin, unan.) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

14. Continued hearings on cost of construction of alley improvements in Block 6049. 4:10 P.M.

BLOCK 6049 - West Orangeburg Ave. - College Ave. - Cornell Ave.

- (a) Lambert and Florence Sikkema, Lot 1 - \$107.12.
- (b) Raymond and Jessie N. Ketcher, Lot 2 - \$110.81.
- (c) Jay H. Elmore, Lot 3 - \$106.38.
- (d) Charles E. and Helen Dowler, Lot 4 - \$106.38.
- (e) Dennis R. and Wanda L. Puthuff, Lot 5 - \$106.38.
- (f) William V. and Dorothy A. Iam, Lot 6 - \$110.81.
- (g) W. M. and Mable Fugit, Lot 7 - \$115.24.
- (h) Ralph E. and Maud E. Moore, Lot 8 - \$265.82.
- (i) Mark N. and Elizabeth W. Essa, Lot 9 - \$35.46.

ACTION: By motion (Dunlap/Siefkin, unan.) hearing continued to March 8 at 7:40 P.M. (Clerk to handle)

15. Matters for the good of the community. 4:15 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. 1496-C.S. (Amends Sections 14-3-9 and 23-3-9, Stanislaus Medical Society)

ACTION: By motion, Ord. No. 1496-C.S. adopted.

- (b) Ord. No. 1497-C.S. (Applications for zone boundary changes and use permits.)

ACTION: By motion, Ord. No. 1497-C.S. adopted.

- (c) Ord. No. 1498-C.S. (Title VI, Garage Sales)

ACTION: By motion, Ord. No. 1498-C.S. adopted.

- (d) Ord. No. 1499-C.S. (Title IX, Garage Sales)

ACTION: By motion, Ord. No. 1499-C.S. adopted.

- (e) Ord. No. 1500-C.S. (Title X, Garage Sales)

ACTION: By motion, Ord. No. 1500-C.S. adopted.

- (f) Ord. No. 1501-C.S. (Amends Section 19-3-9, King Development Co.)

ACTION: By motion, Ord. No. 1501-C.S. adopted. (Clerk to handle)

NEW BUSINESS

17. Letter from Muir Trail Girl Scout Council requesting use of City parks for day camps.  
(Request from Girl Scout Council to use Moose, Kewin and Scott Parks for day camps, June 14-18, 1976, 8:30 A.M. to 3:00 P.M. Staff recommends approval and staff will work out details. (Councilmember Mensinger should be excused from consideration of this item due to a conflict of interest) Motion granting request needed)

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

By motion (Siefkin/Elliott, unan.) request granted.

CONSENT

18. Resolution designating both Assistant Directors of Public Works to be responsible for making damage estimates in the public and private sectors under the Federal Disaster Relief Act, Public Law #93-288, for the City of Modesto.  
(Memo with agenda. Resolution needed)

ACTION: Res. 76-411 adopted designating Richard Hosegood for the public sector and Al Kaufman for the private sector. (Fire to handle)

CONSENT

19. Consider City-County Cooperative agreement for improvement of Orangeburg from Collier to Coffee. (Agreement provides for cost sharing of engineering, design, and right of way acquisition. The total cost of the design and right of way acquisition is \$65,000. The City share is \$50,000; the County share is \$15,000. County right of way acquisition costs will be disbursed directly from County, therefore does not appear in City budgets. Resolution approving agreement needed. Estimated Cost: \$50,000. Funds are budgeted)

ACTION: Res. 76-412 adopted approving agreement. (Clerk to handle)

CONSENT

20. Authorize staff to contact local C.P.A. firms to determine which ones might be interested in doing the City's audit. (The last contract was for three years, and it is recommended that negotiations be conducted on that basis for the new contract. Motion authorizing staff to proceed needed)

ACTION: By motion, staff authorized to proceed. (Finance to handle)

CONSENT

21. Requirement for construction of curbs and/or sidewalks at the locations listed below. Project No. 75/17/11-19/10. (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 4:15 P.M. on April 5, 1976 for hearings needed)

- (a) Curb along Tuolumne Blvd. at 305 Rosedale Ave., Lots 9 and 10 of Block 331. (Silvio Bagnani)
- (b) Curb and Gutter along Tuolumne Blvd. at 302 Rosedale Ave., Lot 1 and 2 of Block 331. (Leona Beechem)
- (c) Curb and Gutter along Tuolumne Blvd. at 210 Alturas Avenue, Lots 5 and 6 of Block 342. (Robert G. Florence.)
- (d) Curb and Gutter at 906 Tuolumne Blvd., Lots 3 and 4 of Block 331. (Annie L. Jorgensen)
- (e) Curb along Tuolumne Blvd. at 302 Alturas Avenue, Lots 1 thru 4 of Block 353. (Sally L. Kritner)
- (f) Curb, Gutter and Sidewalk along Tuolumne Blvd. at 18 H Street, Block 331. (George Lawson Rushing)
- (g) Sidewalk at 1313 Tuolumne Blvd., Lots 22 and 23 of Block 341. (Doyle J. Sonney)

ACTION: Res. 76-413 adopted setting hearings. (P/W to handle)

22. Approval of the Recommendations of the Citizens Housing and Community Development Committee. (Memo with agenda. Motion approving recommendation and resolution approving appropriation transfer of \$1,000 from General Reserve)

ACTION: By motion (Elliott/Kullijian, unan.) recommendation approved. (HCDA to handle)

Res. 76-414 adopted (Elliott/Kullijian, unan.) approving appropriation transfer of \$1,000 from Account 60-101 to Account 439-65-101. (Finance to handle)

CONSENT

23. Consider granting four (4) parcels of Yosemite Boulevard Right of Way to the State of California.  
(In 1965 the City of Modesto, County of Stanislaus and State of California signed an agreement for the reconstruction of Yosemite Blvd. The City of Modesto was to acquire the necessary right of way within the City Limits and transmit all deeds to the State. These four parcels were acquired prior to 1965 and were never deeded to the State. Therefore, this Grant Deed will complete our part of the agreement. Resolution authorizing Mayor to sign Grant Deed needed)

ACTION: Res. 76-415 adopted authorizing execution of deeds. (Clerk to handle)

REPORTS

CONSENT

24. Notice of Greyhound application to increase bus fares.  
(The application is to the P.U.C. and it is for a 9% increase on California Intrastate fares. It is recommended that the matter be left to the P.U.C. Motion acknowledging receipt of the report needed)

ACTION: By motion, receipt of report acknowledged.

25. Review of Environmental Assessment for Modesto Urban Area by our consultants, J. B. Gilbert & Associates.  
(Consultants will brief the Council on Draft Environmental Assessment which has been previously distributed to Council members. Motion accepting oral report)

ACTION: By motion (Elliott/Dunlap, unan.) receipt of report acknowledged.

It was agreed that Councilmembers could submit written comments and/or questions.

26. Report on floor plans and cost estimates for City Hall expansion by consultants, Morgan & Jacobsen.  
(Morgan & Jacobsen will review their work to date on City Hall plans. Motion accepting oral report needed)

ACTION: By motion (Elliott/Siefkin, maj. - Kullijian, no) receipt of report acknowledged and Morgan & Jacobsen instructed to proceed.

27. Report by Council CATV Study Committee on status of its study.  
(Memo with agenda)

ACTION: Res. 76-416 adopted (Dunlap/Siefkin, unan.) approving agreement with Alta California Systems, Inc. to proceed with Phase I and II at a cost not to exceed \$11,360. (Finance to handle)

Res. 76-417 adopted (Dunlap/Siefkin, unan.) approving appropriation transfer of \$11,360 from Account 60-101 to Account 235/65-101. (Finance to handle)

01-

REPORTS FROM THE PLANNING COMMISSION

28. Request of Lance Ellis to annex property in the urban reserve area of the General Plan.  
(Memo with agenda. Two motions as outlined in memo needed)

ACTION: Held over for one week.

CONSENT

29. On February 17, 1976, the Planning Commission adopted Resolution No. 76-32 recommending to the City Council an amendment to Section 15-3-9 of the zoning map repealing P-D(79) and rezoning to R-1, Low Density Residential Zone, property located at the northwest corner of Floyd Ave. and Oakdale Road. (U.S. By-Products) (Resolution setting March 22, 1976 at 7:35 P.M. for public hearing needed)

ACTION: Res. 76-418 adopted setting hearing. (Clerk to handle)

CONSENT

30. On February 17, 1976, the Planning Commission adopted Resolution No. 76-33 recommending to the City Council an amendment to Section 15-3-9 of the zoning map to prezone to Planned Development Zone, P-D (141) to allow construction of a neighborhood shopping center on property located at the southwest corner of Oakdale Road and Floyd Ave. (Bauman) (Resolution setting March 22 at 7:40 P.M. for public hearing needed)

ACTION: Res. 76-419 adopted setting hearing. (Clerk to handle)

CONSENT

31. On February 17, 1976, the Planning Commission adopted Resolution 76-34 recommending to the City Council an amendment to Section 8-3-9 of the zoning map to rezone from Low Density Residential Zone, R-1, to Highway Frontage Zone, H-1, a long narrow strip of property located approximately 400 feet west of McHenry Avenue, extending southerly. (Resolution setting March 22, 1976 at 7:45 P.M. for public hearing needed)

ACTION: Res. 76-420 adopted setting hearing. (Clerk to handle)

CONSENT

32. Proposed amendments to Chapter 2 of Title 10, of the Modesto Municipal Code.  
(On February 17, 1976, the Planning Commission adopted Resolution 76-35 recommending to the Council amendments, additions, and deletions to the zoning regulations to provide for plot plan review for all uses in the P-0 zone, to allow business offices in the P-0 zone, and to provide standardized plot plan requirements for conditional use permits and variances and for H-1 zone permits. (Resolution setting March 22, 1976 at 7:50 P.M. for public hearing needed)

ACTION: Res. 76-421 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

33. Legislation.

NONE

34. Appointments.

NONE

35. Matters too late for the agenda.

ACTION: By motion (Mensingher/Siefkin, unan.) concept approved of assisting Senior Opportunity Services Program to provide transportation to needy and elderly of the Modesto area until July 1, 1976 at a cost of \$1,200. (P & T to handle)

Adjournment at 7:40 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 8, 1976 AT 7:30 P.M.

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

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 5, 6, 7, 8, 9, 14,  
Item 2 removed from consent 15, 16, 17, 18, 19, 20, 21, 22,  
Dunlap/Newton, unan. 23, 24, 25, 27

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of March 1, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Appeal by Tom Theofanides to requirement by Environmental Assessment Committee for an Environmental Impact Report for rezoning to R-2 of property on south side of River Road, west of Mancini Park.  
(Resolution setting March 15, 1976 at 4:20 P.M. for hearing needed)

ACTION: Res. 76-422 adopted (Dunlap/Mensinger, unan.) - Kullijian, absent) setting hearing. (Clerk to handle)

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

CONSENT

3. Appeal by Horn Construction Co. to requirement by Environmental Assessment Committee for an Environmental Impact Report for rezoning from R-1 to P-D, property located south of Briggsmore and along the west side of Lakewood.  
(Resolution setting March 15, 1976 at 4:25 P.M. for hearing needed)

ACTION: Res. 76-423 adopted setting hearing. (Clerk to handle)

4. Request of Modesto Philharmonic Orchestra for financial assistance in connection with performance before the California Music Educator's Association in Los Angeles on April 12.

ACTION: By motion (Kullijian/Mensinger, maj. - Elliott, Siefkin and Davies, no) \$250 granted to orchestra.

Res. 76-424 adopted (Kullijian/Mensinger, maj. - Elliott, Siefkin, and Davies, no) approving appropriation transfer of \$250 from Account 60-101 for this purpose. (Finance to handle)

A motion (Kullijian) to grant \$250 to the Beyer High School Band died for want of a second. (Clerk to handle)

## BIDS

### CONSENT

5. Consider acceptance of Joe Martin's contract for construction of waterlines for Park Place 1, Sylvan Square and Wycliffe Heights 1. (Original contract \$26,898.85. 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, \$27,387.72. Funds are budgeted)

ACTION: Res. 76-425 adopted accepting contract. (Clerk to handle)

### CONSENT

6. Consider acceptance of Joe Martin's contract for construction of waterlines for Kingswood Estates No. 3 and Northridge No. 2. (Original contract \$27,293.50. 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 contract cost \$26,966.08. Funds are budgeted)

ACTION: Res. 76-426 adopted accepting contract. (Clerk to handle)

### CONSENT

7. Consider acceptance of R & R Construction's contract for construction of waterlines in Havenbrook Park No. 2. (Original contract \$7,376.50. 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, \$7,706.36. Funds are budgeted)

ACTION: Res. 76-427 adopted accepting contract. (Clerk to handle)

### CONSENT

8. Consider approval of purchase order to Jack A. Dorrity to remove elevated water tank No. 3 at 8th and L Streets. (Memo with agenda. Resolution authorizing issuance of a purchase order needed. Estimated cost \$4,990. Funds are budgeted)

ACTION: Res. 76-428 adopted authorizing issuance of Purchase Order. (P/W to handle)

### CONSENT

9. Consider acceptance of Osterberg & Stewart's contract for drilling, casing, testing and development of Well No. 42. (Original contract \$15,025.60. 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, \$15,023.80. Funds are budgeted)

ACTION: Res. 76-429 adopted accepting contract. (Clerk to handle)

## HEARINGS

10. Hearings on orders to construct sidewalk and/or curb and gutter, Project No. 75/07-11/12. 7:30 P.M.

- (a) Sidewalk at 1309 Enslin Ave., Lot 4 of Block 6052.  
(Marjorie E. Beck)  
(Drop from agenda)

DROPPED

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10. Hearings on orders to construct sidewalk, etc. (continued) 7:30 P.M.

- (b) Sidewalk at 1224 Enslen Ave., Lot 12 of Block 6053.  
(Stephen B. Brown)  
(Drop from agenda)

DROPPED

- (c) Sidewalk at 1306 Enslen Ave., portion of Block 6053.  
(Theodore R. Byerley)  
(Drop from agenda)

DROPPED

- (d) Sidewalk at 1313 Enslen Ave., Lot 3 of Block 6052.  
(Thomas J. Carlin)  
(Drop from agenda)

DROPPED

- (e) Sidewalk at 1232 Enslen Ave., Lot 14 and the north 3 feet of  
Lot 13 of Block 6053. (Lawrence M. Dovichi)  
(Drop from agenda)

DROPPED

- (f) Sidewalk at 1321 Enslen Ave., Lot 1 of Block 6052.  
(Alfred M. Duckart)  
(Drop from agenda)

DROPPED

- (g) Sidewalk at 1351 Enslen Ave., Lot 26 of Block 6007.  
(Gerald A. W. Haight)

- (h) Sidewalk along Enslen Ave. at 606 W. Roseburg Ave., a portion  
of Block 738. (Darrell F. Hattendorf)  
(Drop from agenda)

DROPPED

- (i) Sidewalk at 825 Enslen Ave., Lot 1 of Block 715.  
(Dexter C. Hogin)

- (j) Sidewalk at 1113 Enslen Ave., portion of Block 738.  
(Horace P. Ledoux)  
(Drop from agenda)

DROPPED

- (k) Sidewalk at 1109 Enslen Ave., portion of Block 738.  
(Peter and Louise S. Raleigh)

- (l) Sidewalk at 1101 Enslen Ave., portion of Block 738.  
(Thomas R. Olson)

- (m) Sidewalk at 1233 Enslen Ave., Lot 9 of Block 6052.  
(John Perino)  
(Drop from agenda)

DROPPED

- (n) Sidewalk at 823 Enslen Ave., Lot 2 of Block 715.  
(Nellie E. Peterson)  
(Drop from agenda)

DROPPED

10. Hearings on orders to construct sidewalk, etc. (continued) 7:30 P.M.

- (o) Sidewalk at 1229 Enslin Ave., Lot 10 of Block 6052.  
(Fred C. Price)  
(Drop from agenda)

DROPPED

- (p) Sidewalk along Enslin Ave. at 608 W. Fairmont Ave., Lot 1 and the north 25 feet of Lot 2 of Block 719. (Blair L. Ryder)

- (q) Sidewalk at 1310 Enslin Ave., portion of Block 6053.  
(Stephen A. Salvo)

- (r) Sidewalk at 1117 Enslin Ave., portion of Block 738.  
(Earl J. Smith)  
(Drop from agenda)

DROPPED

- (s) Sidewalk at 1341 Enslin Ave., Lot 25 of Block 6007.  
(John A. Vieira)  
(Drop from agenda)

DROPPED

- (t) Sidewalk along Enslin Ave. at 520 Mensinger Ave., portion of Block 737. (Harold B. White)

- (u) Curb and sidewalk along Enslin Ave. and Coldwell Ave. at 601 Coldwell Ave., Lot 12 of Block 715. (Carl L. Rohlwing)  
(Drop from agenda)

DROPPED

- (v) Sidewalk at 1103 Enslin Ave., portion of Block 738.  
(Robert H. Wilson)  
(Drop from agenda)

DROPPED

- (w) Sidewalk at 1317 Enslin, Lot 2, Block 6252.  
(Everett G. Woodworth)

ACTION: Res. 76-430 adopted (Dunlap/Kullijian, unan.) ordering work done. (P/W to handle)

11. Hearing on closure of Hudson Lane and Sheridan alley. 7:35 P.M.

ACTION: Res. 1328-S.P. adopted (Newton/Elliott, unan.) closing Hudson Lane.

Res. 1329-S.P. adopted (Newton/Elliott, unan.) closing Sheridan alley. (P/W to handle)

12. Continued hearings on cost of construction of alley improvements in Block 6049. 7:40 P.M.

BLOCK 6049 - West Orangeburg Ave. - College Ave. - Cornell Ave.

- (a) Lambert and Florence Sikkema, Lot 1 - \$107.12.  
(Paid - drop from agenda)

DROPPED

12. Continued hearings on cost of construction of alley improvements in Block 6049, continued. 7:40 P.M.

BLOCK 6049 - West Orangeburg - College Ave. - Cornell Ave.

(b) Raymond and Jessie N. Ketcher, Lot 2 - \$110.81.

ACTION: Res. 76-431 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(c) Jay H. Elmore, Lot 3 - \$106.38.

ACTION: Res. 76-432 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(d) Charles E. and Helen Dowler, Lot 4 - \$106.38.  
(Paid - drop from agenda)

DROPPED

(e) Dennis R. and Wanda L. Puthuff, Lot 5 - \$106.38.  
(Paid-drop from agenda)

DROPPED

(f) William V. and Dorothy A. Iam, Lot 6 - \$110.81.  
(Paid - drop from agenda)

DROPPED

(g) W. M. and Mable Fugit, Lot 7 - \$115.24.

ACTION: Res. 76-433 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(h) Ralph E. and Maud E. Moore, Lot 8 - \$265.82.

ACTION: Res. 76-434 adopted (Dunlap/Kullijian, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

(i) Mark N. and Elizabeth W. Essa, Lot 9 - \$35.46.

ACTION: Res. 76-435 adopted (Dunlap/Kullijian, unam.) confirming report, assessing costs and directing method of collection. (Finance 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: Lynn Russeel suggested that an organization be set up to assist music programs in schools. It was suggested that the Greater Modesto Community Foundation might be the logical organization to handle the finances in connection with this.

Ugo Lea, member of the Farm-City Advisory Committee, was introduced.

ORDINANCES

CONSENT

14. Final adoption of the following:  
(Motions adopting needed)

- (a) Ord. No. 1502-C.S. amending section 28-3-9 of zoning map, City Hospital.

ACTION: By motion, Ord. No. 1502-C.S. adopted. (Clerk to handle)

- (b) Ord. No. 1503-C.S. amending section 18-3-9 of zoning map, Rule Development.

ACTION: By motion, Ord. No. 1503-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

15. Resolutions determining that the public interest and convenience require that the following additions be annexed to Modesto Municipal Sewer District No. 1:  
(These additions were annexed to the City effective February 24, 1976. Two resolutions setting hearings needed)

- (a) Tenaya Addition - public hearing April 26, 1976 at 7:30 P.M.

ACTION: Res. 76-436 adopted setting hearing. (Clerk to handle)

- (b) McClure No. 1 Addition - public hearing April 26, 1976 at 7:35 P.M.

ACTION: Res. 76-437 adopted setting hearing. (Clerk to handle)

CONSENT

16. Resolutions withdrawing the following Additions from the Empire Fire District:  
(These Additions were annexed to the City of Modesto effective February 24, 1976. Resolutions withdrawing from Fire District needed)

- (a) Tenaya Addition.

ACTION: Res. 76-438 adopted withdrawing Tenaya Addition from Empire Fire District.

- (b) McClure No. 1 Addition.

ACTION: Res. 76-439 adopted withdrawing McClure No. 1 Addition from Empire Fire District. (Clerk to handle)

CONSENT

17. Consider approval of final map of Sonoma Plaza No. 2 subdivision of the City of Modesto and authorizing agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (The subdivision agreement has been signed and all fees paid. This subdivision is located on the north side of East Orangeburg Ave. west of Sonoma Avenue. It contains 21.379 acres. Resolution approving needed)

ACTION: Res. 76-440 adopted approving final map. (Clerk to handle)

CONSENT

18. Consider approval of final map of the Oakmont 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. (The subdivision agreement has been signed and all fees paid. This subdivision is located south of Edgebrook Drive and east of Phoenix Avenue. It contains 8.342 acres. Resolution approving final map needed)

ACTION: Res. 76-441 adopted approving final map. (Clerk to handle)

CONSENT

19. Consider approval of final map of the Flintridge Estates No. 2 Subdivision of the City of Modesto and authorizing agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (The subdivision agreement has been signed and all fees paid. This subdivision is located south of East Orangeburg Ave. and east of Sonoma Ave. It contains 8.059 acres. Resolution approving final map needed)

ACTION: Res. 76-442 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider approval of final map of Briggsmore Place 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. (The subdivision agreement has been signed and all fees paid. This subdivision is located on the south side of Lancey Drive west of Oakdale Road. Resolution approving final map needed)

ACTION: Res. 76-443 adopted approving final map. (Clerk to handle)

CONSENT

21. Resolution authorizing submission of a proposal for grant from the U. S. Department of Housing and Urban Development for Comprehensive Planning Assistance (701) Funds for FY 1976-77. (Memo with agenda. Resolution authorizing submission of proposal needed. Estimated cost; Federal, \$25,000; Local, \$12,500; total, \$37,500. Funds are budgeted)

ACTION: Res. 76-444 adopted authorizing submission of application. (Planning to handle)

CONSENT

22. Consider acceptance of improvements in Sunrise No. 1 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods. (This subdivision is located at the southwest corner of Norwegian Avenue and Sunrise Ave. 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. 76-445 adopted accepting improvements. (Clerk to handle)

CONSENT

23. Resolution adjusting the final budget for 1975-76 to reflect recommended accounting procedures in the Airport Fund. (Resolution needed)

ACTION: Res. 76-446 adopted adjusting budget as recommended. (Finance to handle)

CONSENT

24. Accept improvements in Wyldewood Estates No. 5 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods, and accept one bond for remaining improvements.  
(This subdivision is located on the south side of East Orangeburg Ave. west of Oakdale Road. All improvements have been completed to the satisfaction of the Public Works Department, or bonded for satisfactory completion, and all fees have been paid. Letter agreement copy with agenda. Resolution accepting improvements and approving letter agreement and bond to cover completion of Orangeburg Ave.)

ACTION: Res. 76-447 adopted accepting improvements and approving letter agreement and bond. (Clerk to handle)

CONSENT

25. Consider submission of preapplication for federal grant from EDA to help fund construction of Dryden Trunk Sewer.  
(The city staff has been in discussion with representatives of EDA and have determined that there is a possibility of receiving funding in the amount of \$624,000 towards the construction of the Dryden Trunk Sewer. The City Council has already authorized preparation of plans and specifications and budgeted money for the Dryden Trunk Sewer. Resolution authorizing City Manager to sign and submit a preapplication to EDA for federal grant funds)

ACTION: Res. 76-448 adopted authorizing City Manager to submit preapplication. (P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

26. Request of Lance Ellis to annex property in the urban reserve area of the General Plan.  
(Memo with agenda. Two motions as outlined in memo needed)

ACTION: By motion (Siefkin/Dunlap, unan.) annexation approved only after area has been converted from "Urban Reserve" to "Urban" on General Plan and staff directed to add the area to the "Urban" portion of the General Plan only when adjacent properties, to be served by the North Trunk sewer extension, are added to the "Urban" portion of the General Plan. (Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

27. Fund transfer of \$75,600 for purchase of parking lots on 10th between G and H Streets.  
(On January 26, 1976, the City Council authorized purchase of these lots from F. M. Brack and John E. Griffin for \$37,500 each. A transfer of \$75,000 for the purchase plus \$600 estimated escrow costs is needed. Resolution approving fund transfer needed)

ACTION: Res. 76-449 adopted approving appropriation transfer of \$75,600 from Account 60-209 to Account 5102-57-209 (\$37,800) and Account 5103-57-209 (\$37,800). (Finance to handle)

MISCELLANEOUS

28. Legislation.

ACTION: By motion (Kullijian/Elliott, unan.) AB 3000 opposed.  
By motion (Kullijian/Dunlap, unan.) S 3015 conditionally supported.  
By motion (Dunlap/Mensing, unan.) SB 1500 opposed. (C/Mgr to handle)

29. Appointments.

- (a) Election of Vice Mayor for term March 23, 1976 through March 28, 1977.  
(Resolution needed)

ACTION: Res. 76-450 adopted (Siefkin/Newton, unan.) electing Robert T. Elliott as Vice Mayor for a term March 23, 1976 through March 28, 1977. (Clerk to handle)

- (b) Others.

NONE

30. Matters too late for the agenda.

ACTION: By Order of the Chair, staff directed to take into account the short period of time until the 4th of July in enforcement of the sign regulations as they apply to bicentennial banners. (P/W to handle)

Vice Mayor Newton expressed his pleasure over his term as Vice Mayor and was in turn congratulated by the Mayor and Councilmembers for a job well done.

Staff was urged to look into a Supreme Court decision concerning pornography to see if stricter measures can be taken locally. (Police to handle)

Res. 76-451 adopted (Siefkin/Newton, unan.) setting March 15, 1976 at 4:30 P.M. for hearing on appeal by Otis Mercer to grounding of aircraft by Airport Manager. (Clerk to handle)

Adjournment at 9:05 P.M.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

Modesto City Council  
Adjourned Special Meeting  
March 9, 1976

The Council of the City of Modesto met in Adjourned Special Meeting at 7:30 P.M. in the Council Chambers, 801 Eleventh Street, for further consideration of the Downtown Plan.

Present: Councilmembers: Dunlap, Elliott, Newton, Siefkin,  
Mayor Davies

Absent: Councilmembers: Kullijian, Mensinger,

The following tentative conclusions were reached:

- 1) That Ordinance 777-C.S. be modified to eliminate the 60% - 40% expenditure formula and add the provision of parking as a district function.
- 2) Property owners should become paying D.I.D. members (tenants presently paying mill tax who are also property owners would be exempt from additional fees) with details of approach and assessment to be determined.
- 3) Modify Ordinance 777-C.S. to provide for 9 instead of 15 Board members and have Board work with Mayor and Council in selection of a chairperson. The Board will continue to be appointed by the Mayor with Council concurrence.
- 4) No changes should be made in district boundaries or the taxing formula.
- 5) The D.I.D. should continue to have full-time staff. Until completion of the Downtown Plan hearings, this staff will work primarily in three areas: recruitment of businesses, membership newsletter and downtown plan work.

The meeting was adjourned to March 23, 1976 at 7:30 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 15, 1976 AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 17, 18,  
Item 16 dropped from agenda 20, 21, 22, 24, 25  
Items 23 and 26 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of March 8, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request of Beyer High Marching Band for \$250 to assist in appearance at Disneyland on March 20, 1976.

ACTION: By motion (Dunlap/Mensinger, maj. - Kullijian, no) decision delayed until April 5, 1976.

- 2A. Request of Davis High School Jazz choir for \$250 to assist in appearance in Gresham, Oregon, on May 22, 1976.

ACTION: By motion (Dunlap/Mensinger, maj. - Kullijian, no) decision delayed until April 5, 1976.

CONSENT

3. Request of D.I.D. for: (a) Permission to hold sidewalk sales on March 18, 19 and 20, and May 12, 14 and 15; (b) The closure of 10th Street from I to L for the California Arts and Crafts Festival on May 1 and 2.  
(Resolution granting requests needed)

ACTION: Res. 76-452 adopted granting requests. (Clerk to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for construction of waterlines in Romano Estates No. 2.  
(Suggested bid opening March 30, 1976 at 11:00 A.M. Cost and revenue: Construction, \$8,510; connection charges, \$5,280; net revenue, \$418. Resolution approving bid call needed. Estimated cost (\$5,140, Const.; \$3,370, Engr. & Matls.) Funds are budgeted)

ACTION: Res. 76-453 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

5. Consider acceptance of Collins Electrical Co.'s contract for taxiway lighting and security fencing at Modesto City-County Airport/Harry Sham Field.  
(Original contract \$79,540. All work on this project has been completed to the satisfaction of the Federal Aviation Agency 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 needed. Final contract \$80,508.04. Funds are budgeted)

ACTION: Res. 76-454 adopted accepting contract. (Clerk to handle)

CONSENT

6. Consider award of contract for construction of public improvements housing target area.  
(Bids were opened May 9, 1976. The low bid of \$22,260.50 submitted by George Reed, Inc. is 6.12% below the Engineer's Estimate and is acceptable. It is recommended by the Public Works Department that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$24,631.75. (Contract \$22,260.50; Engr. \$2,371.25). Resolution awarding contract needed. Funds are budgeted)

ACTION: Res. 76-455 adopted awarding contract to George Reed, Inc. (P/W to handle)

CONSENT

7. Consider award of contract for construction of sewer extension at United Airlines Terminal.  
(Bids were opened March 9, 1976. The low bid of \$3,082.50 submitted by ABC Backhoe and Sewer Service, which is 35% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$3,082.50. Funds are budgeted)

ACTION: Res. 76-456 adopted awarding contract to ABC Backhoe & Sewer Service. (P/W to handle)

HEARINGS

8. Hearing, annexation of Standiford-Tully No. 2 Addition to Modesto Municipal Sewer District No. 1. 4:00 P.M.

ACTION: Res. 76-457 adopted (Elliott/Dunlap, unan.) annexing Standiford-Tully No. 2 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

9. Hearing, annexation of Veneman Addition to Modesto Municipal Sewer District No. 1. 4:05 P.M.

ACTION: Res. 76-458 adopted (Elliott/Dunlap, unan.) annexing Veneman Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

10. Fifteen hearings on orders to construct sidewalk an/or curbs, Project No. 75/15/04-16/08, at the following locations: 4:10 P.M.

- (a) Sidewalk along Stoddard Ave. at 401 Virginia Ave., a portion of Block 453. (Lorraine C. Brown)
- (b) Curb and Sidewalk at 1108 Stoddard Ave., Lot 2 of Block 447. (Lloyd G. Burns)
- (c) Sidewalk along Stoddard Ave. at 1130 Stoddard Ave., Lots 1 through 5 of Block 445. (Theodore M. Cook)

10. Hearings on orders to construct sidewalk, etc., continued. 4:10 P.M.

- (d) Sidewalk at 907 Stoddard Ave., Lot 9 of Block 453.  
(Leonard J. East)
- (e) Curb and sidewalk at 1114 Stoddard Ave., Lot 3 of Block 447.  
(Easter Seal Society)
- (f) Curb and sidewalk at 1116 Stoddard Ave., Lot 4 of Block 447.  
(Easter Seal Society)
- (g) Curb and sidewalk along Stoddard Ave. at 1122 Stoddard Ave.,  
Lot 5, Block 447. (Easter Seal Society)
- (h) Sidewalk along Stoddard Ave. at 400 Myrtle Ave., Lots 22 and  
23 of Block 456. (Charles C. Forsyth)
- (i) Sidewalk along Stoddard Ave. at 350 Madonia Ave., Lots 1 and  
2 of Block 448-A. (Grange Co.)
- (j) Sidewalk along Stoddard Ave. at 407 N. Olive, Lot 21 of  
Block 456. (Paul L. Martelli)
- (k) Curb and sidewalk along Stoddard Ave. at 315 Virginia Ave.,  
Lot 10 of Block 513. (Wilma B. Long)
- (l) Sidewalk along Stoddard Ave. at 401 Myrtle Ave., Lots 23  
and 24 of Block 457. (Charles W. Moody)
- (m) Sidewalk at 901 Stoddard Ave., Lot 8 of Block 453.  
(James P. Oleson)
- (n) Curb and sidewalk along Stoddard Ave. at 318 Orange Ave.,  
Lot 1 of Block 513. (Dan C. Richardson)
- (o) Sidewalk along Stoddard Ave. at 250 Tully Road, Lots 4  
through 10, Block 444. (Gerald Schweitzer)

ACTION: By motion (Elliott/Newton, unan.) hearings on b, c, e, f and g  
continued to April 5 at 4:20 P.M. (Clerk to handle)

Res. 76-459 adopted (Elliott/Dunlap, unan.) ordering work done for  
items a, d, h, i, j, k, l, m and n. (P/W to handle)

By motion (Newton/Elliott, unan.) staff directed to report to  
Council on Item o within six (6) months. (P/W to handle)

11. Hearing on appeal to Planning Commission denial of re- 4:15 P.M.  
quest to delete requirement for improvement of new  
alignment of Scenic Drive in Eastridge Subdivision,  
Unit 6.

ACTION: Res. 76-460 adopted (Elliott/Dunlap, unan.) appeal granted sub-  
ject to conditions to be worked out between staff and appellant.  
(P/W to handle)

12. Hearing on appeal by Tom Theofanides to requirement 4:20 P.M.  
by Environmental Assessment Committee for an E.I.R.  
for rezoning to R-2 of property on south side of  
River Road, west of Mancini Park.

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

Res. 76-461 adopted (Elliott/Siefkin, unan. - Kullijian, absent)  
denying appeal. (P/W to handle)

13. Hearing on appeal by Horn Construction Co. to require- 4:25 P.M.  
ment by Environmental Assessment Committee for an E.I.R.  
for rezoning from R-1 to R-3 property located south of  
Briggsmore along west side of Lakewood.

ACTION: Res. 76-462 adopted (Elliott/Siefkin, unan.) denying appeal.  
(P/W to handle)

14. Hearing on appeal by Otis Mercer to grounding of his 4:30 P.M.  
aircraft by the Airport Manager.

ACTION: Res. 76-463 adopted (Kullijian/Dunlap, unan.) denying appeal and  
upholding action of Airport Manager. (P/W to handle)

15. Matters for the good of the community. 4:35 P.M.  
(These may be presented by interested persons in the audience)

NONE

#### NEW BUSINESS

16. Consider request of Kiwanis Club to install gum dispensing machine  
in Multipurpose Room of City Hall.  
(Memo with agenda. Motion granting request needed. No cost to  
City)

DROPPED FROM AGENDA

#### CONSENT

17. Request by City Attorney for vacation - April 12th through  
April 16, 1976.  
(Motion approving request needed)

ACTION: By motion, request approved.

#### CONSENT

18. Request of City Clerk to attend City Clerk's Institute in  
Monterey April 28-30.  
(Motion approving request needed)

ACTION: By motion, request approved.

19. Consider routings for three new buses.  
(Memo with agenda. Estimated cost \$33,750 for remainder of  
1975-76. Funds are budgeted)

ACTION: By motion (Dunlap/Kullijian, unan.) report accepted (P & T to  
handle)

#### CONSENT

20. Consider request of County of Stanislaus to drill an onsite water  
well with a pressure tank system in conjunction with an emergency  
operating center at the new County Administration Building.  
(Recommend permission to drill well be granted. Memo with agenda.  
Resolution granting permission to drill a well needed)

ACTION: Res. 76-464 adopted granting permission. (P/W to handle)

CONSENT

21. Uninhabited annexation to the City of Modesto - Coffee-Lucern No. 1. (The LAF Commission has authorized this annexation without notice of public hearing - February 20, 1976. Resolution approving annexation needed)

ACTION: Res. 76-465 adopted annexing Coffee-Lucerne No. 1 to City. (Clerk to handle)

CONSENT

22. Consider acceptance of improvements in Kingswood Estates No. 3 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods. (This subdivision is located east of Coffee Road on the south side of Sylvan Ave. 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. 76-466 adopted accepting improvements. (Clerk to handle)

23. Staff recommendations for revision to Housing Assistance Plan guidelines. (Memo with agenda. Motion approving recommendations needed)

ACTION: By motion (Elliott/Dunlap, unan.) recommendations approved and staff requested to attempt to insure that defaults in repayment be as few as possible. (Planning to handle)

CONSENT

24. 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 that the 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. 76-467 adopted approving agreement. (P & R to handle)

REPORTS

CONSENT

25. Presentation of financial statement for February 1976. (Copies of report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

26. Notice of application to provide Modesto-Yosemite bus service. (Memo with agenda. One round trip per day service is proposed from May 1 through September 30. It is recommended that the matter be left to the P.U.C. to handle but that the Mayor be authorized to send a letter asking for such service. Motion acknowledging report and authorizing Mayor to send letter to P.U.C. needed)

ACTION: By motion (Mensing/Siefkin, unan.) receipt of report acknowledged and Mayor authorized to send letter to P.U.C. approving application with request to permit pickups between route ends. (P & T to handle)

MISCELLANEOUS

27. Legislation.

ACTION: By motion (Dunlap/Kullijian, unan.) SB 1482 opposed. (C/Mgr to handle)

28. Appointments.

ACTION: Res. 76-468 adopted (Kullijian/Dunlap, unan.) appointing Donald L. Vance (replacing Louis F. Gianelli) and P. W. Hall (replacing Rex Higbee) as members of the Board of Appeals, Dangerous Building Code and Housing Code for terms ending January 1, 1980. (Clerk to handle)

29. Matters too late for the agenda.

NONE

Adjournment at 8:50 P.M. to March 22, 1976 at 1:30 P.M. in the Community Service Center, Morris Ave., to consider the Capacity Building Project.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

Modesto City Council  
Adjourned Regular Meeting  
March 22, 1976

The Council of the City of Modesto met in adjourned regular meeting at 1:30 P.M. at the Community Service Center, Morris Ave. this day.

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

(NOTE: Councilmembers Dunlap, Elliott and Kullijian were not present for all of the discussions as is reflected in the voting)

The purpose of the meeting was to continue the Capacity Building Project. Policy statements were considered in five areas and tentative approval was given to the following:

#### OVERALL POLICY

(By motion (Dunlap/Elliott, unan. - Kullijian and Newton, absent)

The overall policy of the City of Modesto is to promote a living environment which provides health, happiness and security for all its citizens at the least possible cost to taxpayers consistent with fair treatment of employees.

(NOTE: Staff was later requested to work on the wording of the last portion to change "within the fiscal resources of the City and fair treatment of employees." (or something similar)

#### COMMUNITY DEVELOPMENT POLICY

(By motion (Mensinger/Siefkin, unan. - Dunlap, Kullijian and Newton, absent)

Provide community planning and development controls for the preservation and enhancement of the City's living environment and agriculturally based economy.

#### PUBLIC SAFETY

(By motion (Elliott/Mensinger, maj. - Davies, no - Dunlap, Kullijian and Newton, absent)

Provide preventative and responsive programs for the protection of life and property.

#### HUMAN SERVICES/RESOURCES

(By motion (Dunlap/Siefkin, unan. - Elliott, Kullijian and Newton, absent)

Provide, promote or encourage services and facilities responsive to the health, housing, transportation, income, leisure and other social service needs of the community.

REVENUE AND TAXATION

(By motion (Dunlap/Mensing, unan. - Elliott, Kullijian and Newton, absent)

Develop and maintain an adequate revenue base through an equitable tax and service charge structure.

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

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MARCH 22, 1976 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,  
Siefkin, Mayor Davies  
Absent: None  
(Councilmember Newton was excused at 11:10 P.M.)

Pledge of allegiance to the Flag  
Invocation by Reverend Wilson Yost, Trinity Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8,  
Items 24 & 25 removed from consent 17, 18, 19, 20, 21, 22, 23, 26,  
Dunlap/Newton, unan. 27

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of March 9 (adjourned special) and March 15, 1976 (regular).  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Appeal by Eugene A. Cox to denial by Police Department of permit to operate amusement machines in the Golden Peach Lounge at the Modesto Bowl.  
(Resolution setting April 5, 1976 at 4:25 P.M. for hearing needed)

ACTION: Res. 76-469 adopted setting hearing. (Clerk to handle)

CONSENT

3. Appeal by John Dirksen to decision of Board of Zoning Adjustment permitting Wayne M. Johnson Co. to extend the hours of operation of a Pizza Parlor Restaurant from 10:00 P.M. to 11:00 P.M. Sundays through Thursday, and to 12:00 midnight on Fridays and Saturdays, in the new Tully Manor Shopping Center at Standiford and Tully.  
(Resolution setting April 12, 1976 at 7:35 P.M. for hearing needed)

ACTION: Res. 76-470 adopted setting hearing. (Clerk to handle)

CONSENT

4. Request of McHenry Museum Society for adoption of a resolution honoring Adah Stewart for her many years of service to community.  
(Resolution needed)

ACTION: Res. 76-471 adopted honoring Mrs. Adah Stewart. (Clerk to handle)

CONSENT

5. Request of Board of Education for consideration of revision of the City Charter to permit election in the event there is a vacancy on the Board prior to the expiration of the term. The Board also suggested that a study be made of the possibility of a seven member Board.  
(Motion referring to staff for report needed)

ACTION: By motion, request referred to staff for report. (Clerk to handle)

CONSENT

6. Appeal by Mamie Alberti to denial by Police Department of permit to operate three amusement machines in Knights of the Round Table, 1103 Coffee Road.  
(Resolution setting April 5, 1976 at 4:30 P.M. for hearing needed)

ACTION: Res. 76-472 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

7. Consider award of contract for construction of waterlines in Lakewood Gardens No. 2.  
(Bids were opened March 16, 1976. The low bid of \$9,450 submitted by Kenneth A. McGinnis, doing business as Mac's Backhoe Service, is 9% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$9,450. Funds are budgeted)

ACTION: Res. 76-473 adopted awarding contract. (P/W to handle)

CONSENT

8. Consider authorizing the purchase of microfilm equipment from the Bell & Howell Company for the total price of \$8,060.24. Funds are budgeted)

ACTION: Res. 76-474 adopted authorizing purchase from Bell & Howell.  
(Finance to handle)

HEARINGS

9. 14 hearings on orders to construct sidewalk, etc. 7:30 P.M.  
at the following locations: (Project No. 75/16/09-75-10)
- (a) Sidewalk at 1241 through 1245 McHenry Ave., Lots 40 through 44 of Block 6000-A. (American Lumber Co.)
  - (b) Sidewalk at 1219 McHenry Ave., portion of Block 6000-A. (American Lumber Co.)
  - (c) Sidewalk at 931 McHenry Ave., portion of Blocks 727 and 728. (Deet Eichel Enterprises.)
  - (d) Sidewalk along McHenry Ave. at 806 McHenry Ave., portion of Block 620. (Galas Brothers, Inc.)
  - (e) Sidewalk at 1539 McHenry Ave., portion of Block 6132. (Richard S. Hiall)
  - (f) Sidewalk along McHenry Ave. at 1501 and 1503 McHenry Ave., portion of Block 6060. (LaConte Brothers Farms, Inc.)
  - (g) Sidewalk at 1513 McHenry Ave., portion of Block 6060. (La Conte Brothers Farms, Inc.)
  - (h) Sidewalk along McHenry Ave. at 724 McHenry Ave., portion of Block 619. (Spiro Mellis)

9. Hearings on orders to construct sidewalk, etc., continued. 7:30 P.M.

- (i) Sidewalk at 1700 McHenry Ave., portion of Block 1237.  
(Mult Benefit Realty Fund III)
- (j) Sidewalk along McHenry Ave. at 1419 McHenry Ave., portion of Block 6059. (Paralyn Co.)
- (k) Sidewalk at 1309 and 1313 McHenry Ave., portion of Block 6000-A.  
(Adrian E. Powell)
- (l) Sidewalk along McHenry Ave. at 1343, 1345 and 1347 McHenry Ave., portion of Block 6000-A. (Homer J. Sergis)
- (m) Sidewalk at 941 McHenry Ave., Lot 2, Block 727. (Russell E. Tonda)
- (n) Sidewalk at 1321 McHenry Ave., portion of Block 6000-A.  
(Jack R. Watson)

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

By motion, (Kullijian/Dunlap, unan.) hearings continued to April 12, 1976 at 7:45 P.M. to permit staff to make further study and report to Council. (P/W to handle)

10. Hearing on amendment to Section 15-3-9 of the zoning map to repeal P-D(79) and rezone to R-1, property located at the northwest corner of Floyd Ave. and Oakdale Road. (U.S. By-Products) 7:35 P.M.

ACTION: Ord. No. 1504-C.S. introduced (Elliott/Dunlap, unan.) repealing P-D(79) and rezoning area. (Clerk to handle)

Res. 76-475 adopted (Elliott/Dunlap, unan.) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

11. Hearing on amendment to Section 15-3-9 of zoning map to prezone to P-D(141) to allow construction of a neighborhood shopping center at southwest corner of Floyd Ave. and Oakdale Road. (Bauman) 7:40 P.M.

ACTION: Ord. No. 1505-C.S. introduced (Dunlap/Siefkin, unan.) rezoning area. (Clerk to handle)

Res. 76-476 adopted (Dunlap/Siefkin, unan.) approving development plan. (Planning to handle)

12. Hearing on amendment to Section 8-3-9 of zoning map to rezone from R-1 to H-1 a long narrow strip of property approximately 400 feet west of McHenry, extending southerly from Woodrow Ave. (Rule & Dale) 7:45 P.M.

ACTION: Ord. No. 1506-C.S. introduced (Siefkin/Newton, unan.) rezoning area. (Clerk to handle)

Res. 76-477 adopted (Siefkin/Newton, unan.) directing Director of Planning & Community Development to file Notice re Environmental Impact. (Planning to handle)

13. Hearing on amendments to Chapter 2 of Title X of Municipal Code to allow business offices in the P-0 zone and to provide standardized plot plan requirements for conditional use permits and variances and for H-1 zone permits. 7:50 P.M.

ACTION: Ord. No. 1507-C.S. introduced (Elliott/Dunlap, unan.) amending Title X. (Clerk to handle)

14. Hearing on appeal by Long's Drug Stores to Planning Commission denial of request for rezoning from R-1 to P-D to permit development of a community shopping center at the northwest corner of Oakdale Road and East Orangeburg Ave. 7:55 P.M.

ACTION: Res. 76-478 adopted (Siefkin/Newton, unan.) denying appeal. (Clerk to handle)

15. Matters for the good of the community. 8:00 P.M.  
(These may be presented by interested persons in the audience)

NONE

#### UNFINISHED BUSINESS

16. Lee Street traffic problems, report on.  
(Memo with agenda. Continued increased enforcement is recommended initially with other actions used if necessary. Motion approving report needed)

ACTION: After staff and interested persons had presented their thoughts on this matter, it was informally agreed to continue as recommended by staff. (Police and Parking & Traffic to handle)

#### NEW BUSINESS

##### CONSENT

17. Requirement for construction of curbs and/or sidewalks at the following locations: (Project No. 75/20/01-75-11)  
(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 7:30 P.M. April 12, 1976 for public hearings needed)
- (a) Sidewalk along Yosemite Blvd. at 1105 Yosemite Blvd., portion of Block 2054. (Margaret E. Agen)
  - (b) Sidewalk along Yosemite Blvd. at 1921 Yosemite Blvd., Lot 1 of Block 2195. (Richard Bolton)
  - (c) Sidewalk at 743 Yosemite Blvd., Lot 9 and 10 of Block 259. (Raymond G. Diaz)
  - (d) Sidewalk at 1735, 1739 and 1743 Yosemite Blvd., portion of lot 2125-A. (George W. Eisenhut)
  - (e) Sidewalk along Yosemite Blvd. at 1234 Yosemite Blvd., Lot 1 and 2 of Block 2053. (Exxon Corporaion)
  - (f) Sidewalk along Yosemite Blvd. at 1915 Yosemite Blvd., portion of Block 2185. (Frank Girodo)

CONSENT  
17. Requirement for construction of curbs and/or sidewalks, continued.

- (g) Sidewalk at 1717 Yosemite Blvd. portion of Block 2125-A.  
(Gerald E. Grover)
- (h) Sidewalk along Yosemite Blvd. at 1027 Yosemite Blvd., portion  
of Block 2032. (Ronald R. Haht)
- (i) Sidewalk along Yosemite Blvd. at 1516 Yosemite Blvd., portion  
of Block 2122. (Earlmond Hathaway)
- (j) Sidewalk along Yosemite Blvd. at 1503 Yosemite Blvd., portion of  
Block 2126. (Alex Jacobs Sr.)
- (k) Sidewalk along Yosemite Blvd. at 822 and 904 Yosemite Blvd.,  
portion of Block 2015. (Elmer A. Kirkle)
- (l) Sidewalk at 1600 Yosemite Blvd., portion of Block 2123.  
(LaLoma Properties Inc.)
- (m) Sidewalk along Yosemite Blvd. at 1805 Yosemite Blvd., portion  
of Block 2155. (Andrew W. Lepape.)
- (n) Sidewalk at 1524 Yosemite Blvd., portion of Block 2122.  
(Pearle T. Mann)
- (o) Sidewalk at 1119 Yosemite Blvd., portion of Block 2054.  
(M.T.S.P.)
- (p) Sidewalk along Yosemite Blvd. at 1002 Yosemite Blvd., and 106  
Santa Rita Ave., portion of Block 2036. (C. W. Noble and  
George W. Kyle)
- (q) Sidewalk along Yosemite Blvd. at 2301 Yosemite Blvd., Lots 11  
and 12, Block 2265. (Norman Quigley)
- (r) Sidewalk at 1733 Yosemite Blvd., portion of Block 2125-A.  
(C. H. Samuelson)
- (s) Sidewalk along Yosemite Blvd. at 1601, 1605, and 1607 Yosemite  
Blvd., portion of Block 2125. (Glenn E. Schach)
- (t) Sidewalk along Yosemite Blvd, at 731 and 735 Yosemite Blvd.,  
portion of Block 259. (Alden Steinbeck)
- (u) Sidewalk at 1007 Yosemite Blvd., portion of Block 2032.  
(James Van Parks)
- (v) Sidewalk at 1721 Yosemite Blvd., portion of Block 2125-A.  
(Harry B. Wilkinson)
- (w) Sidewalk at 1011 Yosemite Blvd., portion of Block 2032.  
(Charles D. Woodward)
- (x) Sidewalk along Yosemite Blvd., at 115 S. Santa Ana Ave., Lot 1  
of Block 2036. (Joseph Garibaldi)

ACTION: Res. 76-479 adopted setting hearings. (P/W to handle)

CONSENT

18. Request by City Manager for vacation April 15 and 16, 1976.  
(Motion approving request needed)

ACTION: By motion, request approved.

CONSENT

19. Request permission to apply to National Fire Prevention and Control Administration for a planning grant.  
(Memo with agenda. Resolution authorizing application needed)

ACTION: Res. 76-480 adopted authorizing application. (Fire to handle)

CONSENT

20. Consider agreement for new traffic signal at the City-County intersection of Mitchell and Finch.  
(Memo with agenda. The City's share for these signals is estimated at \$36,700. County will handle project. Resolution approving agreement and authorizing its execution needed. An appropriation transfer for funds will be requested later when low bid for the project is known (in about one month).

ACTION: Res. 76-481 adopted approving agreement. (Clerk to handle)

CONSENT

21. Consider request for sewer service to property at 325 El Vista Ave. located on the west side of El Vista Ave. between Haddon Ave. and Roble Ave.  
(Owner C. Beatrice Clark has signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a sewer main exists to serve the property. Resolution approving agreement needed)

ACTION: Res. 76-482 adopted approving agreement. (P/W to handle)

CONSENT

22. Consider approval of final map of Havenbrook Park No. 3 Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the north side of East Orangeburg Ave. east of Sonoma Ave. It contains 8.155 acres. Resolution approving final map needed)

ACTION: Res. 76-483 adopted approving final map. (Clerk to handle)

CONSENT

23. Consider approval of final map of the Sylvan Meadows East 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.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located north of Sylvan Ave., east of Coffee Rd. It contains 19.408 acres. Resolution approving final map needed)

ACTION: Res. 76-484 adopted approving final map. (Clerk to handle)

24. Authorize filing application with the Urban Mass Transportation Administration for funds to purchase five buses.  
(The application is for \$219,200 (80%) of the total \$274,000 cost of the five approximately 27-passenger buses. Resolution authorizing City Manager to execute and file application needed. City share \$54,800.

ACTION: Res. 76-485 adopted (Elliott/Dunlap, maj. - Kullijian and Davies, no - Newton, absent) authorizing execution and filing of application. (P & T to handle)

25. Consider approval of annual claim for local transportation funds. (Each year the City makes a claim to SAAG for its apportionment of Local Transportation Funds. This is a claim for \$1,201,947 for fiscal year 1976-77. Report with agenda. Resolution approving submittal of annual transportation claim needed)

ACTION: Res. 76-486 adopted (Mensingher/Elliott, maj. - Kullijian, no - Newton, absent) approving submittal of claim. (Finance to handle)

CONSENT

26. Set date for public hearings on Community Development Block Grant Application and final E.I.R.  
(Resolution setting date for public hearings on the second year Community Development Block Grant Application and final E.I.R. on April 5, 1976 at 4:40 P.M. and April 12, 1976 at 7:30 P.M. needed. Copies of draft of application were distributed to City Council members with memo to City Manager dated February 25, 1976.

ACTION: Res. 76-487 adopted setting hearings. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

27. Proposed amendments to Chapter 2 of Title 10 and Chapter 6 of Title 9 of the Modesto Municipal Code.  
(On March 16, 1976, the Planning Commission adopted Resolution No. 76-50 recommending to the Council amendments, additions, and deletions to the zoning and sign regulations to allow temporary signs and displays to celebrate the Nation's Bicentennial. Resolution setting April 5, 1976 at 4:35 P.M. for public hearing needed)

ACTION: Res. 76-488 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

28. Legislation.

ACTION: By motion (Siefkin/Dunlap, unan.) AB 3107 supported.  
By motion (Kullijian/Dunlap, unan.) SCA 47 opposed.  
By motion (Kullijian/Dunlap, unan.) SB 1600 opposed.  
By motion (Dunlap/Kullijian, maj. - Mensinger & Siefkin, no) SB 215 opposed.  
A motion (Siefkin/Mensingher) to support SB 1384 failed to carry by a 3 to 3 vote.  
By motion (Mensingher/Siefkin, unan.) AB 3204 opposed.  
(C/Mgr to handle)

29. Appointments.

NONE

30. Matters too late for the agenda.

NONE

Adjournment at 11:40 P.M.

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

Modesto City Council  
Adjourned Special Meeting  
March 23, 1976

The Council of the City of Modesto met in Adjourned Special Meeting at 7:30 P.M. in the Council Chambers, 801 Eleventh Street, for further consideration of the Downtown Plan.

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

Absent: Councilmembers: Elliott, Kullijian, Newton

The following tentative conclusion was reached:

- 1) That the proposal for the establishment of a Redevelopment Agency be referred to the Public Projects Committee for study and report.

The meeting was adjourned to April 1, 1976 at 7:30 P.M.

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

Modesto City Council  
Adjourned Special Meeting  
April 1, 1976

The Council of the City of Modesto met in Adjourned Special Meeting at 7:30 P.M. in the Council Chambers, City Hall, 801 Eleventh Street, for further consideration of the Downtown Plan.

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

The following tentative conclusions were reached:

#### ZONING

By motion (Dunlap/Mensinger, unan.) staff recommendations concerning Items 1, 2, 3, 5 and 6 approved except for the Asbill property adjacent to 14th and D Streets.

By motion (Elliott/Dunlap, maj. - Siefkin, no) recommendation concerning Item 4 approved.

#### PARKING

By motion (Elliott/Mensinger, maj. - Dunlap, no) no action on Item 7.

By motion (Siefkin/Mensinger, unan.) recommendation concerning Item 8 approved.

#### TRANSPORTATION CENTER

By motion (Newton/Elliott, unan.) recommendation concerning Item 9 approved.

#### STREET SYSTEM

By motion (Siefkin/Dunlap, maj. - Elliott, no) recommendations concerning Items 10 and 12 approved.

By motion (Dunlap/Siefkin, unan.) it was agreed to make no commitment concerning Item 11 at this time but that a further study should be made.

#### DANGEROUS BUILDING CODE

By motion (Elliott/Dunlap, unan.) staff directed to proceed as to Item 13.

By motion (Dunlap/Siefkin, unan.) basement sprinkling or an acceptable alternate approved (Item 14).

By motion (Mensinger/Siefkin, unan.) staff directed to prepare code amendments to permit appeals to Council from actions of Board of Appeals.

By motion (Dunlap/Newton, unan.) staff directed to make a study to see if elimination of Fire Zone 1 would have an adverse effect on fire insurance rates.

COMMUNITY CENTER

By motion (Dunlap/Siefkin, unan.) staff was directed to arrange a meeting to discuss priorities before any action is taken concerning a Community Center.

The meeting was adjourned at 11:05 P.M.

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

Modesto City Council  
Special Meeting  
April 5, 1976


The Council of the City of Modesto met in special meeting at 2:30 P.M. in the Law Library, Third Floor, City Hall.

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

Absent: Councilmember: Newton

As the purpose of the meeting was to hold an executive session to discuss upcoming meet and confer sessions, the Council retired to executive session and did not return to open meeting.

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 5, 1976 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mansinger, Newton,  
Siefkin, Mayor Davies

Absent: None

(Councilmember Kullijian arrived at 4:05 P.M., Mayor  
Davies was excused at 6:15 P.M. and Councilmember Siefkin  
was excused at 8:00 P.M.)

Pledge of allegiance to the Flag.

Invocation by Pastor Gary Refern, Unity Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 7, 8, 9, 11, 12,  
Items 10 and 42 dropped from agenda 13, 14, 26, 27, 29, 30, 31, 32,  
Items 15 and 44 removed from consent 33, 34, 35, 36, 37, 40, 41, 43,  
Newton/Elliott, unan. - Kullijian, absent 45, 46, 47, 48, 49, 50, 51, 52,  
53, 54

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of March 22 (adjourned regular), March 22 (regular) and  
March 23, 1976 (adjourned special).  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Greater Modesto Chamber of Commerce Tourism Budget for 1976-77.  
(Motion referring to proper budget session needed)

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

CONSENT

3. Resignation of Robert R. Moon from Advisory Board of D.I.D., effective  
April 1, 1976.  
(Resolution accepting with regret needed)

ACTION: Res. 76-489 adopted accepting resignation with regret. (Clerk  
to handle)

4. Request of Senior Opportunity Service Programs for discussion of senior  
citizens transportation and emergency funding for a five-month period  
through July 31, 1976.  
(Memo with agenda)

ACTION: By motion (Dunlap/Kullijian, unan.) staff directed to prepare  
agreement to allow City to pay \$450 per month for 5 month period  
ending July 31, 1976. (C/Atty to handle)

5. Request of Mr. and Mrs. Andy Van Dyk for removal of Modesto Ash tree at 616 Virginia.

ACTION: By motion (Elliott/Kullijian, maj. - Dunlap, Siefkin, and Mayor Davies, no) action delayed for two weeks and staff directed to attempt to ascertain whether the tree or the sewer line was there first. (City crews to do any necessary digging). (P & R to handle)

6. Proposal by Gary Morse concerning development of Youth Service Bureau.

ACTION: By motion (Mensingher/Siefkin, maj. - Kullijian and Mayor Davies, no) concept endorsed with the understanding that \$10,000 is being furnished by the City at this time and that consideration will be given to the additional \$10,000.

#### BIDS

##### CONSENT

7. Consider acceptance of Joe Martin's contract for construction of waterlines in Carver Village No. 2. Original contract: \$49,195.50. (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 needed. Final cost: \$45,727.24. Funds are budgeted).

ACTION: Res. 76-490 adopted accepting contract. (Clerk to handle)

##### CONSENT

8. Consider approval of purchase order for construction of partitions in the east end of Building No. 4 in the City Corporation Yard. (Bids were requested from four contractors to construct these partitions. Three bids were received. The low bid was submitted by R. M. Day for \$4,502.96 which was less than the estimated amount of \$5,000. It is recommended that the purchase order be issued to them. Memo with agenda. Resolution authorizing purchase order needed. Estimated cost: \$4,502.96. Funds are budgeted)

ACTION: Res. 76-491 adopted authorizing issuance of purchase order. (P/W to handle)

##### CONSENT

9. Consider awarding contract for construction of Carpenter and Blue Gum traffic signals and street lights and approving appropriation transfer to cover the project costs. (Memo with agenda. The low bid for the project was from Collins Electrical Company, Inc. at \$19,800.00. The bid is 10% below the estimate. The total project including engineering, contingencies, and some paving by City, is estimated at \$22,210.00. Resolution awarding contract and resolution approving appropriation transfer of \$22,210 needed.

ACTION: Res. 76-492 adopted awarding contract to Collins Electrical Co., Inc. (P & T to handle)

Res. 76-493 adopted approving appropriation transfer of \$22,210 from Account 60-321 to Account 6088-56-321. (Finance to handle)

10. Consider approval of plans and specifications and call for bids for HCDA Removal of Architectural Barriers at Various Locations in the City of Modesto.  
(Suggested Bid Opening date is April 20, 1976 at 11:10 A.M. This project will replace old vertical curb with wheelchair ramps at pedestrian crosswalks. Resolution approving plans, specifications and call for bids needed. Estimated cost: \$13,335.00 (\$12,700 Constr.; \$635 Engr.). Funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

11. Acceptance of three new City buses.  
(The three new GMC buses are satisfactory for acceptance. Resolution accepting buses and authorizing payment to GMC. Estimated Cost: \$190,977. Funds are budgeted)

ACTION: Res. 76-494 adopted accepting buses. (Finance to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for construction of waterlines in Flintridge Estates No. 2.  
(Suggested Bid Opening date is April 20, 1976 at 11:15 A.M. Cost & Revenue: Construction \$16,889; Connection Charges \$6,600; Net Revenue \$552. Resolution approving plans, specifications and bid call needed. Estimated Cost: \$16,889 (\$10,430 Const.; \$6,459 Matls. & Engr.). Funds are budgeted)

ACTION: Res. 76-495 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for construction of landscaping and irrigation at Fire Station No. 5.  
(Suggested Bid Opening date is April 20, 1976 at 11:00 A.M. The landscaping is desired to improve the exterior appearance of Fire Station No. 5. Resolution approving plans and specifications and bid call needed. Estimated Cost: \$7,500.00 (\$7,000.00 Constr.; \$500.00 Engr.). Funds are budgeted)

ACTION: Res. 76-496 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

14. Consider award of contract for construction of waterlines in Romano Estates No. 2.  
(Bids were opened March 30, 1976. The low bid of \$4,614.00 submitted by Joe Martin is 10% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. (Resolution awarding contract needed. Estimated Cost: \$4,614.00. Funds are budgeted)

ACTION: Res. 76-497 adopted awarding contract to Joe Martin. (P/W to handle)

15. Golf cars.  
(Report on golf cars and recommendation that City purchase twenty (20) golf cars for rental on the City's golf courses. Resolution approving specifications and call for bids to be received April 27, 1976 at 2:00 P.M. needed. Estimated Cost: \$30,000. Appropriation transfer to be requested when exact cost of car purchase is known)

ACTION: Res. 76-498 adopted (Elliott/Mensing, unan.) approving specifications and bid call. (Clerk to handle)

HEARINGS

16. Hearing, annexation of Robertson-Hayes Add. to Modesto Municipal Sewer District No. 1. 4:00 P.M.

ACTION: Res. 76-499 adopted (Elliott/Dunlap, unan.) annexing Robertson-Hayes Addition to Modesto Municipal Sewer District No. 1.  
(Clerk to handle)

17. Hearing, annexation of Orangeburg-Lakewood #2 Addition to Modesto Municipal Sewer District No. 1. 4:05 P.M.

ACTION: Res. 76-500 adopted (Dunlap/Elliott, unan.) annexing Orangeburg-Lakewood #2 Addition to Modesto Municipal Sewer District No. 1.  
(Clerk to handle)

18. Hearing, annexation of Lincoln No. 3 Addition to Modesto Municipal Sewer District No. 1. 4:10 P.M.

ACTION: Res. 76-501 adopted (Kullijian/Dunlap, unan.) annexing Lincoln No. 3 Addition to Modesto Municipal Sewer District No. 1.  
(Clerk to handle)

19. 8 hearings on orders to construct sidewalks, etc. at the following locations: (Project No. 75/17/11-19/10) 4:15 P.M.

- (a) Curb along Tuolumne Blvd. at 305 Rosedale Ave., Lots 9 and 10 of Block 331. (Silvio Bagnani)
- (b) Curb and Gutter along Tuolumne Blvd. at 302 Roselawn Ave., Lots 1 and 2 of Block 331. (Leona Beechem)
- (c) Curb and Gutter along Tuolumne Blvd. at 210 Alturas Ave., Lots 5 and 6 of Block 342. (Robert G. Florence)
- (d) Curb and Gutter at 906 Tuolumne Blvd., Lots 3 and 4 of Block 331. (Annie L. Jorgensen)
- (e) Curb along Tuolumne Blvd. at 302 Alturas Avenue, Lots 1 thru 4 of Block 353. (Sally L. Kritner)
- (f) Curb along Tuolumne Blvd. at 910 Tuolumne Blvd., Lots 5 and 6 of Block 331. (George Lawson Rushing)
- (g) Sidewalk at 1313 Tuolumne Blvd., Lots 22 and 23 of Block 341. (Doyle J. Sonney)
- (h) Curb, gutter and sidewalk along Tuolumne Blvd. at 18 "H" Street, Block 334. (Modesto High School District)  
(Dropped)

ACTION: Res. 76-502 adopted (Dunlap/Siefkin, unan.) ordering work done.  
(P/W to handle)

20. 5 continued hearings on orders to construct sidewalks, etc. at the following locations: (continued from 3/15 meeting) 4:20 P.M.

- (b) Curb and Sidewalk at 1108 Stoddard Ave., Lot 2 of Block 447. (Lloyd G. Burns)
- (c) Sidewalk along Stoddard Ave. at 1130 Stoddard Ave., Lots 1 through 5 of Block 445. (Theodore M. Cook)

20. Hearings on orders to construct sidewalks, etc., continued 4:20 P.M.

- (e) Curb and sidewalk at 1114 Stoddard Ave., Lot 3 of Block 447. (Easter Seal Society)
- (f) Curb and sidewalk at 1116 Stoddard Ave., Lot 4 of Block 447. (Easter Seal Society)
- (g) Curb and sidewalk along Stoddard Ave. at 1122 Stoddard Ave., Lot 5, Block 447. (Easter Seal Society)

ACTION: Res. 76-503 adopted (Dunlap/Siefkin, unan.) ordering work done. (P/W to handle)

21. Hearing on appeal by Eugene Cox to denial by Police Department of permit to operate amusement machines in the Golden Peach Lounge at the Modesto Bowl. 4:25 P.M.

ACTION: Res. 76-504 adopted (Kullijian/Dunlap, maj. - Mensinger and Newton, no) denying appeal and upholding action of Police Department. (Police to handle)

22. Hearing on appeal by Mamie Alberti to denial by Police Department of permit to operate amusement machines at the Knights Round Table. 4:30 P.M.

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

Res. 76-505 adopted (Kullijian/Mensing, maj. - Newton, no - Siefkin and Mayor Davies, absent) denying appeal and upholding action of Police Department. (Police to handle)

By motion (Kullijian/Mensing, maj. - Newton, no - Siefkin and Mayor Davies, absent) staff directed to work with schools and report to Council concerning the 300' from school limit.

23. Hearing on amendments to Titles 9 & 10 of Municipal Code relating to temporary signs and displays in connection with Bicentennial. 4:35 P.M.

ACTION: Ord. No. 1508-C.S. adopted (Dunlap/Siefkin, unan. - Mayor Davies, absent) amending Title 9.

Ord. No. 1509-C.S. adopted (Dunlap/Siefkin, unan. - Mayor Davies, absent) amending Title 10. (Clerk to handle)

24. Hearing, second year Community Development Block Grant application and final E.I.R. 4:40 P.M.

NO ACTION TAKEN

25. Matters for the good of the community. 4:45 P.M.  
(These may be presented by interested persons in the audience)

ACTION: By motion (Mensing/Dunlap, unan.) business license fees for Renaissance Faire at Junior College waived for this year only. (Finance to handle)

Bud Patton stated that he was not happy with the City requirement for commercial width sidewalks at his place of business on Kearney. He also stated that due to incorrect information received from City staff a sewer trench had been dug in the wrong location at property he owns on McHenry Ave. but that he did not expect to pursue the matter.

ORDINANCES

CONSENT

26. Final adoption of the following:  
(Motion adopting needed)

- (a) Ord. No. 1504-C.S. (Amends Sec. 15-3-9 of zoning map) (U.S. By-Products).

ACTION: By motion, Ord. No. 1504-C.S. adopted. (Clerk to handle)

- (b) Ord. No. 1505-C.S. (Amends Sec. 15-3-9 of zoning map) (Bauman)

ACTION: By motion, Ord. No. 1505-C.S. adopted. (Clerk to handle)

- (c) Ord. No. 1506-C.S. (Amends Sec. 8-3-9 of zoning map) (Rule & Dale)  
adopted.

ACTION: By motion, Ord. No. 1506-C.S. (Clerk to handle)

- (d) Ord. No. 1507-C.S. (Amends Title X, H-1 plot plan & P-O zone uses)

ACTION: By motion, Ord. No. 1507-C.S. adopted. (Clerk to handle)

CONSENT

27. Amendment to Code Section relating to Admissions Tax (Title VIII, Chapter 2, Article 2)  
(Memo with agenda. Introduction of ordinance needed)

ACTION: Ord. No. 1510-C.S. introduced. (Clerk to handle)

UNFINISHED BUSINESS

28. Further consideration of requests by Davis High School Jazz Choir and Beyer High Marching Band for financial assistance in connection with proposed tours.  
(Memo with agenda)

ACTION: A motion (Kullijian) to grant \$250 to each of the groups failed for want of a second.

By motion (Kullijian/Dunlap, unan.) policy statement adopted as presented by staff.

NEW BUSINESS

CONSENT

29. Loan of brass pole to City of Turlock.  
(See copy of attached memo to City Manager. Resolution authorizing loan per method No. 2 needed)

ACTION: Res. 76-506 adopted approving loan for only that period of time that it is displayed as an historic item in the Turlock Fire Department Museum. (Fire to handle)

CONSENT

30. Resolution withdrawing Coffee-Lucern No. 1 Addition from McHenry-Dry Creek Fire District.  
(This Addition was annexed to the City on March 26, 1976. Resolution withdrawing from Fire District needed).

ACTION: Res. 76-507 adopted withdrawing Coffee-Lucern No. 1 Addition from Fire District. (Clerk to handle)

CONSENT

31. Resolution determining that the public interest and convenience require that Coffee-Lucern No. 1 Addition be annexed to Modesto Municipal Sewer District No. 1.  
(This Addition was annexed to the City effective March 26, 1976. Resolution setting May 24, 1976 at 7:30 P.M. for public hearing needed).

ACTION: Res. 76-508 adopted setting hearing. (Clerk to handle)

CONSENT

32. Consider request for sewer service to property at 1444 Lorry Avenue, located on the east side of Lorry Avenue south of East Coolidge Ave. (Owner: Marilyn Ann Cathcart, has signed an agreement to annex when requested to do so by City. The property is not contiguous to the City limits, however, a sewer main exists to serve it. Resolution approving agreement needed).

ACTION: Res. 76-509 adopted approving agreement. (P/W to handle)

CONSENT

33. Request by City Attorney for permission to attend League of California Cities City Attorneys' Spring Conference in Newport Beach, California, May 12 through 14, 1976.  
(Motion approving request needed. Funds are budgeted)

ACTION: By motion, request approved.

CONSENT

34. Amendment to 1975-76 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 third program for youth, and a transfer of \$249.00 for trophies is needed from City Trust Fund (Fund No. 601) to the General Fund (Fund No. 101) Donations Account (Revenue Account No. 905) and then appropriated to General Fund (Fund No. 101) Recreation Division of the Parks & Recreation Department in the Junior Golf Program Account No. 459-32-101. Resolution amending budget needed)

ACTION: Res. 76-510 adopted amending budget. (Finance to handle)

CONSENT

35. Consider agreement for providing bus service to Vintage Faire Shopping Center.  
(Memo with agenda. The proposed agreement calls for Ernest W. Hahn, developer of Vintage Faire, to pay up to \$25,000 annually to help subsidize the entire bus route to Vintage Faire. Resolution approving agreement needed).

ACTION: Res. 76-511 adopted approving agreement. (Clerk to handle)

CONSENT

36. Consider agreement with Marin Aviation, Inc., for air taxi operation at the Modesto City-County Airport/Harry Sham Field.  
(Marin Aviation, Inc., of Novato, California desires to conduct air taxi operations transporting bank data processing documents. Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 76-512 adopted approving agreement. (P/W to handle)

**CONSENT**

37. Consider approval of the final map of Strathmore Village 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.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the south side of Wylie Drive east of Rose Avenue. It contains 7.597 acres. Resolution needed).

ACTION: Res. 76-513 adopted approving final map. (Clerk to handle)

38. Consider adoption of resolution of intention to revise rates for cable television service.  
(Report to be distributed to Council. Resolution of intention to revise CATV rates needed. Suggested hearing date - April 26, 1976 at 8:00 P.M.)

ACTION: Res. 76-514 adopted (Dunlap/Siefkin, unan. - Mayor Davies, absent) setting hearing. (Clerk to handle)

**CONSENT**

40. Agreement with University of California.  
(Agreement between City of Modesto and University of California to provide a Biological Pest Control program for the City's Street Trees. Resolution approving agreement needed. Estimated cost: \$10,000. Funds are budgeted).

ACTION: Res. 76-515 adopted approving agreement. (P & R to handle)

**CONSENT**

41. Consider approval of new contract between Canteen Corporation and the City to provide vending machine service.  
(The existing contract between Canteen Corporation and the City, dated November 9, 1970, has been updated to meet current City requirements. Resolution approving new agreement and terminating existing contract effective March 31, 1976).

ACTION: Res. 76-516 adopted approving new agreement and terminating existing agreement retroactive to March 31, 1976. (Finance to handle)

42. Consider amendment to agreement with Claude H. and Ruth F. Williams.  
(Memo with agenda. Resolution approving amendment needed)

DROPPED FROM AGENDA

**CONSENT**

43. Request for authorization to certify right of way and authorizing right of entry to Cal-Trans to improve a portion of Highway 108 (McHenry).  
(Memo with agenda. Resolution authorizing certification of right of way and resolution authorizing right of entry to Cal-Trans.)

ACTION: Res. 76-517 adopted authorizing certification of right of way.

Res. 76-518 adopted authorizing right of entry to Cal-Trans.  
(P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

44. Proposed Annexation of County P-D(4) - Developing Mobilehome Park located East of McHenry Avenue North of Beno's Department Store. (Memo with agenda. Motion concurring with Planning Commission recommendation needed)

ACTION: By motion (Mensingher/Siefkin, unan.) this matter, the Ellis property and any others which are comparable referred to the October growth review study. (Planning to handle)

CONSENT

45. On March 16, 1976, the Planning Commission adopted Res. 76-58, recommending that the street name "Dale Road" (Freeway 99 Frontage Road) between Briggsmore Avenue and Standiford Avenue be changed to "Sisk Road" to establish a single name for the frontage road alignment and eliminate confusion. (Adoption of resolution making change effective September 1, 1976 needed)

ACTION: Res. 76-519 adopted changing name of Dale Road between Briggsmore and Standiford to Sisk Road effective September 1, 1976. (P & T to handle)

CONSENT

46. On March 16, 1976, the Planning Commission adopted Res. 76-52 recommending to the Council an amendment to Section 9-3-9 of the zoning map to prezone to R-2 property located on the north side of Sylvan Avenue, opposite Dragoo Park Drive. (Resolution setting April 26, 1976 at 7:40 P.M. for public hearing needed)

ACTION: Res. 76-520 adopted setting hearing. (Clerk to handle)

CONSENT

47. On March 16, 1976, the Planning Commission adopted Resolution 76-51 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 north of East Coolidge Avenue and West of Melrose Avenue. (Resolution setting April 26, 1976 at 7:45 P.M. for public hearing needed)

ACTION: Res. 76-521 adopted setting hearing. (Clerk to handle)

CONSENT

48. On March 16, 1976, the Planning Commission adopted Resolution 76-55 recommending to the Council an amendment to Section 12-3-8 of the zoning map to reclassify from R-1 to P-0 and denied the rezoning from R-1 to R-2, property located at the northeast corner of Dale Road and Veneman Avenue. (Resolution setting April 26, 1976 at 7:50 P.M. for hearing needed)

ACTION: Res. 76-522 adopted setting hearing. (Clerk to handle)

CONSENT

49. On March 16, 1976, the Planning Commission adopted Resolution 76-53 recommending to the Council an amendment to Section 18-3-9 of the zoning map to reclassify from Low Density Residential Zone, R-1, and Medium High Density Residential Zone, R-3, to P-0, property located at the northwest corner of Briggsmore and Tully. Resolution setting April 26, 1976 at 7:55 P.M. for public hearing needed)

ACTION: Res. 76-523 adopted setting hearing. (Clerk to handle)

CONSENT

50. On March 16, 1976, the Planning Commission adopted Resolution 76-57 recommending to the Council an amendment to Section 16-3-9 of the zoning map to reclassify from P-0 zone to P-D zone, property located at the southeast corner of Briggsmore Avenue and Sunrise. Resolution setting May 3, 1976 at 4:00 P.M. for public hearing needed)

ACTION: Res. 76-524 adopted setting hearing. (Clerk to handle)

CONSENT

51. On March 16, 1976, the Planning Commission adopted Resolution 76-54 recommending to the Council an amendment to Section 15-3-9 of the zoning map to reclassify from R-2 and R-3 to P-0, property located on the north side of Lancey Drive west from Oakdale Road. Resolution setting May 3 at 4:05 P.M. for public hearing needed)

ACTION: Res. 76-525 adopted setting hearing. (Clerk to handle)

CONSENT

52. On March 16, 1976, the Planning Commission adopted Resolution 76-56 recommending to the Council an amendment to Section 8-3-9 of the zoning map to reclassify from R-1 to R-2 property located on the east side of Tully Road, immediately south of Hetch Hetchy right of way. Resolution setting May 3, 1976 at 4:10 P.M. for public hearing needed)

ACTION: Res. 76-526 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

53. Approve transfer of \$10,208 to pay bill for State for widening and signal work on Needham and K and L.  
(This bill is for work started in 1970-71 fiscal year and completed during the 1972-73 fiscal year. Progress payments were made, but the final bill was just now received. Originally budgeted funds were not carried over beyond 1973-74. Memo with agenda. Resolution approving transfer needed. Estimated cost \$10,208)

ACTION: Res. 76-527 adopted approving appropriation transfer of \$10,208 from Account 60-321 to Account 6240-56-321. (Finance to handle)

CONSENT

54. Request for appropriation transfer.  
(This transfer is necessary to get the title reports and the appraisals to complete the acquisition of the Lincoln School site. Resolution approving appropriation transfer of \$1,500 needed)

ACTION: Res. 76-528 adopted approving appropriation transfer of \$1,500 from Account 61-800-321 to Account 6406-31-321. (Finance to handle)

MISCELLANEOUS

55. Legislation.

ACTION: By motion (Dunlap/Kullijian, unan.) AB 839 supported.  
By motion (Dunlap/Kullijian, unan.) SB 1401 supported  
By motion (Kullijian/Dunlap, unan.) AB 3269 opposed.  
(C/Mgr to handle)

56. Appointments.

- (a) Appointment of Modesto Youth Commission Chairperson, Cheri Ebright, as representative to Stanislaus County Children's Advocacy Council.  
(Resolution needed)

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

Res. 75-529 adopted (Kullijian/Dunlap, unan. - Mensinger, Siefkin and Mayor Davies, absent) appointing Cheri Ebright as a representative of the Modesto Youth Commission to Stanislaus County Children's Advocacy Council for a term ending December 1, 1976. (Clerk to handle)

- (b) Other


NONE

57. Matters too late for the agenda.

NONE

Adjournment at 8:10 P.M. to April 8, 1976 at 7:30 P.M.

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

Modesto City Council  
Adjourned Regular Meeting  
April 8, 1976

The Council of the City of Modesto met pursuant to adjournment at 7:30 P.M. in the Multipurpose Room, City Hall.

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

As the purpose of this meeting was to discuss priorities, the members of the Council expressed their views as to what priorities were important, methods of obtaining input from the residents of Modesto and funding at both capital improvements and operating costs. Among the items discussed were the following:

- 1) Sources of revenue for capital improvements.
- 2) Community Center (type and location).
- 3) Senior Citizens Service Center (In various neighborhoods or one central facility) (Possibility of City renting a building).
- 4) Transportation Center.
- 5) Multistory parking facility in downtown.
- 6) 11th Street Park between City Hall and Courthouse.
- 7) Use of Tuolumne River Regional Park land as the site for a Community Center.
- 8) Study by the Public Projects Committee of priorities. (More Council input to Committee was suggested).
- 9) Priority study by entire Council rather than by a committee.
- 10) Multipurpose rooms at Junior High Schools.
- 11) Means of obtaining citizen input (advisory ballot measure or questionnaire to be sent with water bills).

The suggestion was made that each Councilmember list his or her priorities (from 5 to 10) for consideration by the Council at a later meeting.

By Order of the Chair, staff was directed to arrange another meeting (not in April) for further discussion of priorities.

The meeting was adjourned at 9:40 P.M.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 12, 1976 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,  
Mayor Davies  
Absent: Siefkin  
(Mayor Davies arrived at 8:20 P.M. and Vice Mayor  
Elliott presided until that time.)  
(Councilmember Newton arrived at 9:50 P.M. and was  
excused at 11:35 P.M.)

Pledge of allegiance to the Flag.

Invocation by Reverend Ben Jennings, Prescott Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 14,  
Item 28 dropped from agenda 15, 17, 19, 20, 22, 23, 24, 25,  
Items 18, 26, 29 and 32 removed from 31, 33, 35a  
consent  
Dunlap/Mensinger, unan. - Newton, Siefkin, 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of April 1, 1976 (adjourned special); April 5 (Special) and April 5, 1976 (regular) meetings.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Invitation from Sylvan Union School District for Councilmembers and/or staff to attend study session on May 1 concerning growth of north area.

ACTION: It was agreed that John Doxey would represent staff and that Councilmembers would notify the City Manager as to whether or not they would attend.

CONSENT

3. Offer from Beta Sigma Phi Sorority to donate 13 live oak trees to be planted in picnic area of Mancini Park.  
(Motion accepting offer and directing letter of appreciation to be sent needed)

ACTION: By motion, offer accepted and staff directed to send letter of appreciation. (P & R to handle)

BIDS

**CONSENT**

4. Consider approval of plans and specifications and call for bids for the reconstruction of alley in Block 69.  
(Bid opening April 27, 1976 at 11:00 A.M. The alley is behind City Hall. It is badly deteriorated and needs reconstruction. Memo dated November 21, 1975 with agenda. Resolution approving bid call needed. Estimated cost \$11,909 (\$11,235 Contract; \$674 Engr.) Appropriation transfer to be requested after the bids have been opened and amount of low bid is known)

ACTION: Res. 76-530 adopted approving plans, specifications and bid call.  
(Clerk to handle)

**CONSENT**

5. Consider approval of plans and specifications and call for bids for installation of Fire Station No. 4 alarm circuit.  
(Bid opening April 27, 1976 at 11:10 A.M. The alarm circuit is needed to permit incoming fire alarm calls at the new station. Resolution approving bid call needed. Estimated cost \$5,500 (\$5,000 Const.; \$500 Engr.). Funds are budgeted)

ACTION: Res. 76-531 adopted approving plans, specifications and bid call.  
(Clerk to handle)

**CONSENT**

6. Consider approval of plans and specifications and call for bids for construction of waterlines in Briggsmore Place No. 2 and Sylvan Meadows East No. 3.  
(Bid opening April 27, 1976 at 11:15 A.M.)
- |                     |                  |                        |
|---------------------|------------------|------------------------|
| Costs and Revenues: | Briggsmore No. 2 | Sylvan Meadows East #3 |
| Construction        | \$5,487.50       | \$35,810.00            |
| Connection Charges  | 3,960.00         | 18,040.00              |
| Net Revenue         | 313.00           | 1,427.00               |
- Resolution approving bid call needed. Estimated cost, \$41,297.50.  
(\$26,197.50, Const.; \$15,100 Engr. & Matls.) Funds are budgeted)

ACTION: Res. 76-532 adopted approving plans, specifications and bid call.  
(Clerk to handle)

**CONSENT**

7. Consider acceptance of Joe Martin's contract for construction of northwest water main extensions.  
(Original contract \$141,579.50. 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 record notice of completion. Resolution accepting work as complete needed. Final contract cost \$139,591.14. Funds are budgeted)

ACTION: Res. 76-533 adopted accepting contract. (Clerk to handle)

**CONSENT**

8. Consider acceptance of Morrow & Waggoner's contract for construction of renovation of entry gate and resurfacing of S.W. portion of Corporation Yard.  
(Original contract \$11,941. 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 record notice of completion. Resolution accepting work as complete needed. Final contract cost \$12,560.35. Funds are budgeted)

ACTION: Res. 76-534 adopted accepting contract. (Clerk to handle)

HEARINGS

9. 23 hearings on orders to construct sidewalks at the following locations: (Project No. 75/20/01-75-11) 7:30 P.M.
- (a) Sidewalk along Yosemite Blvd. at 1105 Yosemite Blvd., portion of Block 2054. (Margaret E. Agen)
  - (b) Sidewalk along Yosemite Blvd. at 1921 Yosemite Blvd., Lot 1 of Block 2195. (Richard Bolton)
  - (c) Sidewalk at 743 Yosemite Blvd., Lot 9 and 10 of Block 259. (Raymond G. Diaz)
  - (d) Sidewalk at 1735, 1739 and 1743 Yosemite Blvd., portion of Lot 2125-A. (George W. Eisenhut)
  - (e) Sidewalk along Yosemite Blvd. at 1234 Yosemite Blvd., Lot 1 and 2 of Block 2053. (Exxon)
  - (f) Sidewalk along Yosemite Blvd. at 1915 Yosemite Blvd., portion of Block 2185. (Frank Girodo)
  - (g) Sidewalk at 1717 Yosemite Blvd., portion of Block 2125-A. (Gerald E. Grover)
  - (h) Sidewalk along Yosemite Blvd. at 1027 Yosemite Blvd, portion of Block 2032. (Ronald R. Haht)
  - (i) Sidewalk along Yosemite Blvd. at 1516 Yosemite Blvd., portion of Block 2122. (Earlmond Hathaway)
  - (j) Sidewalk along Yosemite Blvd. at 1503 Yosemite Blvd., portion of Block 2126. (Alex Jacobs Sr.)
  - (k) Sidewalk along Yosemite Blvd. at 822 and 904 Yosemite Blvd., portion of Block 2015. (Elmer A. Kinkle)
  - (l) Sidewalk at 1600 Yosemite Blvd., portion of Block 2123. (LaLoma Properties Inc.)
  - (m) Sidewalk along Yosemite Blvd. at 1805 Yosemite Blvd., portion of Block 2155. (Andrew W. Lepape)
  - (n) Sidewalk at 1524 Yosemite Blvd., portion of Block 2122. (Pearle T. Mann)
  - (o) Sidewalk at 1119 Yosemite Blvd., portion of Block 2054. (M.T.S.P.)
  - (p) Sidewalk along Yosemite Blvd. at 1002 Yosemite Blvd. and 106 Santa Rita Avenue, portion of Block 2036. (C.W. Noble and George W. Kyle)
  - (q) Sidewalk along Yosemite Blvd. at 2301 Yosemite Blvd., Lots 11 and 12, Block 2265. (Norman Quigley)
  - (r) Sidewalk at 1733 Yosemite Blvd., portion of Block 2125-A. (C. H. Samuelson)
  - (s) Sidewalk along Yosemite Blvd. at 1601, 1605 and 1607 Yosemite Blvd., portion of Block 2125. (Glenn E. Schach)
  - (t) Sidewalk along Yosemite Blvd. at 731 and 735 Yosemite Blvd., portion of Block 259. (Alden Steinbeck)
  - (u) Sidewalk at 1007 Yosemite Blvd., portion of Block 2032. (James Van Parks)

9. Hearings on orders to construct sidewalks, continued. 7:30 P.M.

- (v) Sidewalk at 1721 Yosemite Blvd., portion of Block 2125-A. (Harry B. Wilkinson)
- (w) Sidewalk at 1011 Yosemite Blvd., portion of Block 2032. (Charles D. Woodward)
- (x) Sidewalk along Yosemite Blvd., at 115 S. Santa Ana Avenue, Lot 1, Block 2036. (Joseph Garibaldi)

ACTION: Res. 76-535 adopted (Kullijian/Mensing, unan. - Newton, Siefkin and Mayor Davies, absent) ordering work done on all except (s) and (t). (P/W to handle)

By motion (Kullijian/Mensing, unan.) hearing on (s) continued to April 19, 1976 at 4:00 P.M. to enable staff to make further study. (P/W to handle)

Res. 76-536 adopted (Elliott/Dunlap, unan.; - Kullijian, Newton and Siefkin, absent) ordering work done on (t) with 6 months delay. (P/W to handle)  
(Councilmember Kullijian was excused from consideration of this item due to owning property in this block)  
(Note: See Item 36 for further information)

10. Hearing on appeal by John Dirksen to decision of Board of Zoning Adjustment permitting Wayne M. Johnson Co. to extend the hours of operation of a Pizza Parlor Restaurant from 10:00 P.M. to 11:00 P.M. Sundays through Thursday, and to 12:00 midnight on Fridays and Saturdays, in the new Tully Manor Shopping Center. 7:35 P.M.

ACTION: Res. 76-537 adopted (Elliott/Dunlap, unan. - Newton and Siefkin, absent) granting appeal and overruling BZA. (Planning to handle)

By motion (Elliott/Dunlap, unan.) staff directed to prepare report for Council on conditions imposed in connection with this development and estimated date of compliances. (P/W to handle)

11. Hearing, second year Community Development Block Grant Application and final E.I.R. 7:40 P.M.

ACTION: Res. 76-538 adopted (Elliott/Mensing, unan. - Newton and Siefkin, absent) authorizing filing of application. (Planning to handle)

Res. 76-538-A adopted (Elliott/Mensing, unan. - Newton and Siefkin, absent) certifying review of final E.I.R. and directing the Director of Planning and Community Development to file Notice of Determination. (Planning to handle)

12. 14 continued hearings on orders to construct sidewalks at the following locations. (Project No. 75/16/09-75-10) 7:45 P.M.

- (a) Sidewalk at 1241 through 1245 McHenry Ave., Lots 40 through 44 of Block 6000-A. (American Lumber Co.)
- (b) Sidewalk at 1219 McHenry Ave., portion of Block 6000-A. (American Lumber Co.)
- (c) Sidewalk at 931 McHenry Ave., portion of Blocks 727 and 728. (Deet Eichel Enterprises.)
- (d) Sidewalk along McHenry Ave. at 806 McHenry Ave., portion of Block 620. (Galas Brothers, Inc.)
- (e) Sidewalk at 1539 McHenry Ave., portion of Block 6132. (Richard S. Hiatt)

- (f) Sidewalk along McHenry Ave. at 1501 and 1503 McHenry Ave., portion of Block 606. (La Conte Brothers Farms, Inc.)
- (g) Sidewalk at 1513 McHenry Ave., portion of Block 6060. (LaConte Brothers Farms, Inc.)
- (h) Sidewalk along McHenry Ave. at 724 McHenry Ave., portion of Block 619. (Spiro Mellis)
- (i) Sidewalk at 1700 McHenry Ave., portion of Block 1237. (Mult Benefit Realty Fund III)
- (j) Sidewalk along McHenry Ave. at 1419 McHenry Ave., portion of Block 6059. (Parlayn Co.)
- (k) Sidewalk at 1309 and 1313 McHenry Ave., portion of Block 6000-A. (Adrian E. Powell)
- (l) Sidewalk along McHenry Ave. at 1343, 1345, and 1347 McHenry Ave., portion of Block 6000-A. (Homer J. Sergis)
- (m) Sidewalk at 941 McHenry Ave., Lot 2, Block 727. (Russell E. Tonda)
- (n) Sidewalk at 1321 McHenry Ave., portion of Block 6000-A. (Jack R. Watson)

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

By motion (Dunlap/Elliott, unan.) hearings continued to April 19, 1976 at 4:05 P.M. (Clerk to handle)

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

NONE

ORDINANCES

CONSENT

14. Final adopted of Ord. No. 1510-C.S. relating to admisstion tax.  
 (Motion adopting needed)

ACTION: By motion, Ord. No. 1510-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

15. Authorize City Manager to sign no fee agreements with the California National Guard that would allow the Police Department to use their large bore rifle range for training.  
 (The Modesto Police Department needs the use of a large bore rifle range to familiarize officers with departmental weapons. Memo with agenda. Resolution authorizing City Manager to sign agreements needed)

ACTION: Res. 76-539 adopted authorizing City Manager to sign agreements.  
 (Clerk to handle)

CONSENT

17. Approve 50¢ all-day bus pass.  
(Memo with agenda. The 50¢ all-day bus passes are recommended to allow stop-over privileges rather than have to pay full fare at each boarding. Resolution approving 50¢ all-day passes needed. Estimated cost \$20. Funds are budgeted)

ACTION: Res. 76-540 adopted approving 50¢ all-day bus passes. (P & T to handle)

18. Consider painting fire hydrants red, white and blue - Needham to Beno's - McHenry Ave.  
(See letter from Kiwanis Club of North Modesto requesting approval to paint fire hydrants for Bicentennial and memo from Fire Chief to City Manager concerning the request. Motion authorizing staff to approve subject to conditions recommended by Fire Chief)

ACTION: By motion (Elliott/Dunlap, unan.) staff authorized to approve request subject to conditions. (Fire to handle)

CONSENT

19. Consider approval of final map of Hollywood 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. (The subdivision agreement has been signed and all fees paid. The subdivision is located on the east side of Tully Road north of Standiford Ave. It contains 20.076 acres. Resolution approving final map needed)

ACTION: Res. 76-541 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider approval of final map of Orangeburg Heights Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (The subdivision agreement has been signed and all fees paid. This subdivision is located at the northwest corner of Lakewood Ave. and East Orangeburg Ave. It contains 16.931 acres. Resolution approving final map needed.

ACTION: Res. 76-542 adopted approving final map. (Clerk to handle)

21. Consider recommendation that repair of the 7th Street bridge be included in the 1976-77 Capital Improvement Program.  
(Report with agenda. Motion approving recommendation needed. Estimated cost \$200,000 to be included in the C.I.P.)

ACTION: By motion (Mensing/Dunlap, unan.) recommendation approved.

CONSENT

22. Consider acceptance of improvements in Carver Village No. 2 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.  
(This subdivision is located on the east side of Carver Road north of Hetch Hetchy right of 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. 76-543 adopted accepting improvements. (Clerk to handle)

CONSENT

23. Consider acceptance of improvements in Park Place No. 1 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.  
(This subdivision is located on the south side of Rumble Road east of Conant Ave. 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. 76-544 adopted accepting improvements. (Clerk to handle)

CONSENT

24. Consider lease agreement with Dennis Simms for lease of City property required for Dry Creek Park.  
(Memo with agenda. Resolution approving lease agreement needed)

ACTION: Res. 76-545 adopted approving agreement. (Clerk to handle)

CONSENT

25. Consider renegotiating of two fixed base operator and three concessionaire leases at the Modesto City-County Airport-Harry Sham Field.  
(The staff is recommending the leases of Pacific Aircraft Service, Ace Aeromotive, Thrifty Rent-A-Car, Modesto Cab Company, and Red Top Taxi be terminated and renegotiated. Memo with agenda. Resolution authorizing cancellation and renegotiation of leases needed)

ACTION: Res. 76-546 adopted authorizing cancellation and renegotiation of above leases. (P/W to handle)

26. Consider approval of grant application to Economic Development Agency for funding of Dryden Trunk Sewer - 1975.  
(Resolution authorizing City Manager to sign and submit formal application to EDA for federal grant funds and resolution approving Environmental Impact Report needed)

ACTION: Res. 76-547 adopted (Dunlap/Elliott, unan. - Siefkin, absent) authorizing signing and submission of grant application.  
(P/W to handle)

Res. 76-548 adopted (Dunlap/Elliott, unan. - Siefkin, absent) approving E.I.R.

27. Consideration of extension of Bodega Lane.  
(The Master Plan for Revard Manor Park is now being developed and before the plan can be finalized, the Council needs to decide whether or not they are going to approve extension of Bodega Lane which is recommended by the staff. Motion directing staff needed)

ACTION: By motion (Mensing/Dunlap, maj. - Elliott, no) staff directed to proceed to connect Bodega Lane with Tokay. (P/W to handle)

28. Consider finding of public necessity to exercise right of eminent domain on Needham, P Street to Kansas project, and authorize City Attorney to institute condemnation action on three parcels of property.  
(Memo with agenda. Three resolutions of condemnation needed)

DROPPED FROM AGENDA

29. Proposed agreement for development of Urban Trail Plan.  
(Proposed agreement with Environmental Assessments and Resource Planning, Inc., of Sacramento, to develop an Urban Trail System Master Plan for an amount not to exceed \$13,900. Plan to be completed in 90 days. \$5,020 budgeted in the current Capital Improvement Projects and \$9,980 to be reimbursed from Stanislaus Area Association of Governments (SAAG) when project is complete. Resolution approving agreement needed. Funds are budgeted)

ACTION: Res. 76-549 adopted (Mensingers/Newton, maj. - Elliott and Kullijian, no - Siefkin, absent) approving agreement. (P & R to handle)

30. Recommendations of the Citizens Housing and Community Development Committee.

(a) Recommendations of the Users Committee.  
(Motion approving recommendations of Citizens Housing and Community Development Committee; motion either approving or denying recommendations of the Users Committee needed)

ACTION: By motion (Elliott/Kullijian, unan.) recommendations of Citizens Housing and Community Development Committee approved.

By motion (Elliott/Kullijian, unan.) recommendations of Users Committee not approved. (Planning to handle)

#### REPORTS

##### CONSENT

31. Presentation of financial statement for March 1976.  
(Report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

#### REPORTS FROM THE PLANNING COMMISSION

32. Amendment to 1976-77 C.I.P. - Park site Muncy School area.  
(On April 6, 1976, the Planning Commission recommended an amendment to the C.I.P. for the fiscal year 1976-77 to purchase a 3.9 acre parcel west of Janna Avenue and across from Muncy School for a neighborhood park site. Motion acknowledging receipt of Commission recommendation and referring proposed amendment to the C.I.P. to appropriate budget session)

ACTION: By motion (Dunlap/Mensingers, unan.) receipt of report acknowledged and proposed amendment referred to proper budget session.  
(Finance to handle)

##### CONSENT

33. Planning Commission recommendation - Capital Improvement Program 1976-77 through 1979-80.  
(Letter of transmittal and computer listing with agenda. Motion acknowledging receipt of Commission recommendation on the C.I.P. and referring C.I.P. to appropriate budget session needed)

ACTION: By motion, receipt of report acknowledged and C.I.P. referred to appropriate budget session. (Finance to handle)

MISCELLANEOUS

34. Legislation.

NONE

35. Appointments

CONSENT

- (a) Reappointment of Dennis Wilson to the Downtown Improvement District Advisory Board for a term ending March 28, 1980. (Resolution needed)

ACTION: Res. 76-550 adopted reappointing Dennis Wilson for a term ending March 28, 1980. (Clerk to handle)

- (b) Others.

NONE

36. Matters too late for the agenda.

ACTION: Res. 76-551 adopted (Elliott/Dunlap, unan. - Newton and Siefkin, absent) rescinding resolutions 76-535 and 76-536 and also rescinding motion passed in connection with Item 9, and setting May 24, 1976 at 7:35 P.M. for hearings on all orders to construct except (t).

Res. 76-552 adopted (Elliott/Dunlap, unan. - Kullijian, Newton and Siefkin, absent) setting May 24, 1976 at 7:35 P.M. for hearing on order to construct Item (t). (P/W to handle)  
(Councilmember Kullijian was excused from consideration of this item due to a conflict of interest)  
(P/W to handle)

37. The Council retired to executive session at 12:00 midnight with the announcement that it would not return to open meeting.

Adjournment at 12:10 A.M.

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 19, 1976 AT 4:00 P.M.

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

Absent: None  
(Councilmember Siefkin was excused at 7:55 P.M.)

Pledge of allegiance to the Flag.

Invocation by Reverend O. D. Johnson, First Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4a, 5, 6, 11, 12, 13  
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)

PRESENTATION

1. Suggestion award - \$60.00 to Cecil Pavlacky (Parks & Recreation) for suggestions on installing valve connecting hydraulic tool and metal stand for supporting banding spools.  
(Mayor to present award. Funds are budgeted)

ACTION: Mayor Davies presented the check to Mr. Pavlacky.

APPROVAL OF MINUTES

CONSENT

2. Minutes of April 8, 1976 (adjourned regular) and April 12, 1976 (regular).  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

3. Request of Senior Activity Committee for progress report by Council Committee which is investigating the Full Service Center for Senior Citizens.

ACTION: By motion (Kullijian/Newton, unan.) concept of a Full Service Center for Senior Citizens approved subject to available funding and site location. (C/Mgr to handle)

4. Offer by Modesto Affiliated Church Housing Corp. to purchase a portion of the old Lincoln School site.

ACTION: By motion (Siefkin/Dunlap, unan.) offer referred to staff for study and report with the understanding that this action does not constitute approval of the concept. (C/Mgr to handle)

CONSENT

- 4a. Resignation of Mrs. David L. Yabroff from Human Rights Commission.  
(Resolution accepting with regret needed)

ACTION: Res. 76-555 adopted accepting resignation with regret. (Clerk to handle)

## BIDS

### CONSENT

5. Consider approval of plans and specifications and call for bids for construction of lighting, mounds, and parking lot at Rose Ave. Park. (Suggested bid opening date May 4, 1976 at 11:00 A.M. This project has been set forth as part of the Master Plan to provide parking and lighting.  
(Resolution approving plans and bid call needed. Estimated cost \$52,000 (\$50,400 Construction; \$1,600 Engineering). Funds are budgeted)

ACTION: Res. 76-556 adopted approving plans, specifications and bid call.  
(Clerk to handle)

### CONSENT

6. Consider approval of agreement between the City of Modesto and B & K Investments for water service to property outside the city limits on the south side of North Emerald Ave. at Woodland Ave., and consider approval of plans and specifications and call for bids for construction of Woodland Ave. waterline - McWilliams Way to North Emerald. (Suggested bid opening May 4, 1976 at 11:10 A.M. Memo with agenda. Resolution approving agreement and resolution approving bid call needed. Estimated cost \$11,000 \$8,080, construction; \$2,920, Engineering & Matl). Funds are budgeted)

ACTION: Res. 76-557 adopted approving agreement. (P/W to handle)

Res. 76-558 adopted approving plans, specifications and bid call.  
(Clerk to handle)

## HEARINGS

7. Continued hearings on orders to construct sidewalks at the locations listed below. (Project 75/16/09-75-10) 4:05 P.M.
- (a) Sidewalk at 1241 through 1245 McHenry Ave., Lots 40 through 44 of Block 6000-A. (American Lumber Co.)
  - (b) Sidewalk at 1219 McHenry Ave., portion of Block 6000-A. (American Lumber Co.)
  - (c) Sidewalk at 931 McHenry Ave., portion of Blocks 727 and 728. (Deet Eichel Enterprises)
  - (d) Sidewalk along McHenry Ave. at 806 McHenry Ave., portion of Block 620. (Galas Brothers, Inc.)
  - (e) Sidewalk at 1538 McHenry Ave., portion of Block 6132. (Richard S. Hiatt)
  - (f) Sidewalk along McHenry Ave. at 1501 and 1503 McHenry Ave., portion of Block 6060. (LaConte Brothers Farms, Inc.)
  - (g) Sidewalk at 1513 McHenry Ave., portion of Block 6060. (La Conte Brothers Farms, Inc.)
  - (h) Sidewalk along McHenry Ave. at 724 McHenry Ave., portion of Block 619. (Spiro Mellis)
  - (i) Sidewalk at 1700 McHenry Ave., portion of Block 1237. (Mult Benefit Realty Fund III)
  - (j) Sidewalk along McHenry Ave. at 1419 McHenry Ave., a portion of Block 6059. (Paralyn Co.)

7. Continued hearings on orders to construct sidewalks,  
continued.

4:05 P.M.

- (k) Sidewalk at 1309 and 1313 McHenry Ave., portion of Block 6000-A.  
(Adrian E. Powell)
- (l) Sidewalk along McHenry Ave. at 1343, 1345, and 1347 McHenry  
Ave., portion of Block 6000-A. (Homer J. Sergis)
- (m) Sidewalk along McHenry Ave. at 941 McHenry Avenue, Lot 2,  
Block 727. (Russell E. Tonda)
- (n) Sidewalk at 1321 McHenry Ave., portion of Block 6000-A.  
(Jack R. Watson)

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

A resolution (Dunlap/Siefkin) overruling the protests on c, d, h,  
l and n and ordering work done on those properties which have no  
type of paving in the normal time and on those with asphalt or  
similar surface by December 31, 1976 failed as Councilmember  
Kullijian voted no and a 4/5 vote was needed.

A resolution (Dunlap/Siefkin) overruling protests and ordering  
work done failed as Councilmember Kullijian voted no and a 4/5  
vote was needed.

Res. 76-559 adopted (Kullijian/Elliott, unan. - Mensinger, absent)  
ordering work done on (a) and (b). (P/W to handle)

Res. 76-560 adopted (Kullijian/Elliott, unan. - Mensinger, absent)  
ordering delay on construction of all others for 5 years or change  
of ownership or replacement of present surfacing (whichever is  
first). (P/W to handle)

8. Matters for the good of the community.

4:10 P.M.

(These may be presented by interested persons in the audience)

NONE

#### UNFINISHED BUSINESS

9. Further consideration of request of Mr. and Mrs. Van Dyke for re-  
moval of City of Modesto tree at 616 Virginia.

ACTION: By motion (Elliott/Dunlap, unan.) request denied.

10. Further consideration of McHenry Village access to Briggsmore.  
(Memo with agenda. Negotiations to close the median opening have  
failed. Motion directing staff to drop the matter or have an appraisal  
made of the cost of closing the median needed. No transfer is needed.  
Funds are budgeted. Estimated cost \$600.00)

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

By motion (Elliott/Kullijian, unan.) staff directed to drop matter  
but to continue to monitor. (P & T to handle)

NEW BUSINESS

CONSENT

11. Approve agreement with Stanislaus County covering bus service on Routes 1 - 6 inclusive.

(This agreement, retroactive to January 1, 1976, continues the agreement that was approved in November, 1974. Stanislaus County will pay Modesto about \$32,000 for bus service in unincorporated areas for the first six months of 1976. Resolution approving agreement needed)

ACTION: Res. 76-561 adopted approving agreement. (P & T to handle)

CONSENT

12. Consider finding of public necessity to exercise right of eminent domain on Needham, "P" Street to Kansas project, and authorize City Attorney to institute condemnation action on three parcels of property.

(Memo with agenda. Three resolutions of condemnation needed)

ACTION: Res. 76-562 adopted authorizing condemnation action for Southern Pacific Transportation Co. property.

Res. 76-563 adopted authorizing condemnation action for Southern Pacific Transportation Co. property.

Res. 76-564 adopted authorizing condemnation action for Gertrude F. Boundey property. (C/Atty to handle)

CONSENT

13. Permission to set up a reviewing stand for El Concilio for Cinco de Mayor on May 2, 1976 and permission to approve their request to have a street sweeper following the horse entries in the parade.

(Memo with agenda. Resolution approving request needed)

ACTION: By motion, request approved. (P & R to handle)

14. Master Plan, Sylvan Park.

(Approve final Master Plan for Sylvan Park. An oral presentation will be made at the meeting and a copy of the Master Plan Report is included with agenda. Motion approving final master plan for Sylvan Park needed)

ACTION: By motion (Dunlap/Siefkin, unan.) plan approved. (P & R to handle)

15. Consider acceptance of Storm Water Management Study.

(The City Council approved an agreement with George S. Nolte and Associates on September 8, 1975 to prepare a study of storm drainage within the City of Modesto. George S. Nolte and Associates are also currently preparing a drainage report for Stanislaus County. It is recommended that the City study be accepted at this time. An oral presentation will be made at the meeting. Resolution accepting study needed. Funds are budgeted)

ACTION: Res. 76-565 adopted (Kullijian/Elliott, unan.) study accepted. (P/W to handle)

16. Recommendations regarding the delegation of authority and the establishment of guidelines governing direct loans and grants and the self-help program.

(Memos with agenda. Resolution naming the Rehabilitation Loan Pool Sub-Committee to consider and approve loans and grants and resolution authorizing City Manager to execute agreements with Self-Help Enterprises, Inc. needed)

ACTION: Res. 76-566 adopted (Elliott/Mensing, unan. - Siefkin, absent) naming Rehabilitation Loan Pool Sub-Committee to consider and approve loans and grants.

Res. 76-567 adopted (Elliott/Mensing, unan. - Siefkin, absent) authorizing City Manager to execute agreements with Self-Help Enterprises, Inc. (HCD to handle)

17. Dedication of the McHenry Mansion to the City of Modesto by the Julio R. Gallo Foundation.

(Memo with agenda. Resolution accepting dedication subject to confirmation of the transfer by the Superior Court and resolution of appreciation to the Julio R. Gallo Foundation needed)

ACTION: Res. 76-553 adopted (Elliott/Dunlap, unan.) expressing appreciation to the Julio R. Gallo Foundation. (Clerk to handle)

Res. 76-554 adopted (Elliott/Dunlap, unan.) accepting dedication. (Clerk to handle)

By motion (Mensing/Newton, unan.) Mayor's charge to Culture Commission re restoration of McHenry Mansion approved.

By motion (Elliott/Siefkin, unan.) Mrs. Aileen Gallo appointed as honorary member of the Culture Commission to assist in planning for restoration of McHenry Mansion.

#### MISCELLANEOUS

18. Legislation.

ACTION: By motion (Kullijian/Newton, unan.) SB 1590 supported.  
By motion (Dunlap/Mensing, unan.) SB 1644 opposed.  
By motion (Kullijian/Dunlap, unan.) SB 1674 opposed.  
(C/Mgr to handle)

19. Appointments.

NONE

20. Matters too late for the agenda.

NONE

21. The Council retired to executive session at 8:05 P.M. to discuss personnel matters with the announcement that they would not return to open meeting.

Adjournment at 8:05 P.M.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, APRIL 26, 1976 AT 7:30 P.M.

Roll call Present: Dunlap, Mensinger, Newton, Siefkin, Vice Mayor Elliott  
Absent: Kullijian, Mayor Davies  
(Vice Mayor Elliott presided)

Pledge of allegiance to the Flag.

Invocation by Reverend Calvin Hogue, Orangeburg Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 14, 16, 17,  
Item 18 removed from consent 19, 20, 21, 22, 23, 24, 25  
Dunlap/Siefkin, unan. - Kullijian and  
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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of April 19, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

BIDS

CONSENT

2. Approve plans and specifications for modification of Briggsmore-Oakdale and El Vista/Oakdale-Scenic Traffic Signals.  
(Memo with agenda. Bid opening May 18, 1976 at 2:00 P.M. Resolution approving bid call needed. Estimated cost \$17,000. Funds are budgeted)

ACTION: Res. 76-568 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

3. Consider approval of plans and specifications and call for bids for construction of waterlines in Sonoma Plaza No. 2 and Strathmore Village No. 2.  
(Suggested bid opening May 11, 1976 at 11:00 A.M.)  
Costs & Revenues: Sonoma Plaza No. 2 Strathmore Village No. 2  
Construction \$34,280 \$10,755  
Connection charges \$24,860 5,940  
Net Revenue \$ 1,966 470  
Resolution approving plans, specifications and bid call needed.  
Estimated cost \$45,035. (\$28,060, Construction; \$16,975 Eng. & Matls.)  
Funds are budgeted)

ACTION: Res. 76-569 adopted approving plans, specifications and bid call.  
(Clerk to handle)

**CONSENT**

4. Consider award of contract to Bibens Nursery for construction of landscaping and irrigation of Fire Station No. 5. (Bids were opened April 20, 1976. The low bid of \$6,821 submitted by Bibens Nursery which is 3% under the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Bibens Nursery needed. Funds are budgeted)

**ACTION:** Res. 76-570 adopted awarding contract to Bibens Nursery. (P/W to handle)

**CONSENT**

5. Consider award of contract for construction of waterlines in Flint-ridge Estates No. 2. (Bids were opened April 20, 1976. The low bid of \$10,014 submitted by R & R Construction is 4% below 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. 76-571 adopted awarding contract to R & R Construction. (P/W to handle)

**HEARINGS**

6. Hearing, annexation of Tenaya Addition to Modesto Municipal Sewer District No. 1. 7:30 P.M.

**ACTION:** Res. 76-572 adopted (Siefkin/Mensing, unan. - Kullijian and Mayor Davies, absent) annexing Tenaya Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

7. Hearing, annexation of McClure Addition to Modesto Municipal Sewer District No. 1. 7:35 P.M.

**ACTION:** Res. 76-573 adopted (Dunlap/Newton, unan. - Kullijian and Mayor Davies, absent) annexing McClure Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

8. Hearing on amendment to Section 9-3-9 of zoning map to prezone to R-2, property on the north side of Sylvan Avenue opposite Dragoo Park Drive. (Tallent & Drake) 7:40 P.M.

**ACTION:** Ord. No. 1511-C.S. introduced (Dunlap/Newton, unan. - Kullijian and Mayor Davies, absent) rezoning area. (Clerk to handle)

Res. 76-574 adopted (Dunlap/Newton, unan. - Kullijian and Mayor Davies, absent) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

9. Hearing, amendment to Section 21-3-9 of zoning map to rezone from R-1 to R-2, property located north of East Coolidge, and west of Melrose Ave. (Jean Campi) 7:45 P.M.

**ACTION:** Ord. No. 1512-C.S. introduced (Elliott/Dunlap, unan. - Kullijian and Mayor Davies, absent) rezoning area. (Clerk to handle)

Res. 76-575 adopted (Elliott/Dunlap, unan. - Kullijian and Mayor Davies, absent) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

10. Hearing on amendment to Section 12-3-8 of zoning map to rezone from R-1 to P-0, property located at the northeast corner of Dale & Veneman. (Beachler) 7:50 P.M.

ACTION: Ord. No. 1513-C.S. introduced (Dunlap/Mensing, unan. - Kullijian and Mayor Davies, absent) rezoning area. (Clerk to handle)

Res. 76-576 adopted (Dunlap/Mensing, unan. - Kullijian and Mayor Davies, absent) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

11. Hearing on amendment to Section 18-3-9 of zoning map to rezone from R-1 & R-3 to P-0, property located at the northwest corner of Briggsmore & Tully. (Elmo Wilson, Sr.) 7:55 P.M.

ACTION: Ord. No. 1514-C.S. introduced (Mensing/Siefkin, unan. - Kullijian and Mayor Davies, absent) rezoning area. (Clerk to handle)

Res. 76-577 adopted (Mensing/Siefkin, unan. - Kullijian and Mayor Davies, absent) directing Director of Planning and Community Development to file Notice re Environmental Impact. (Planning to handle)

A resolution (Siefkin/Dunlap) to recommend to the Board of Zoning Adjustment that access to Briggsmore be denied failed as only Siefkin and Dunlap voted aye.

By motion (Dunlap/Siefkin, unan.) further consideration delayed to May 3, 1976.

12. Hearing on proposed rate increase for CATV. 8:00 P.M.

ACTION: Res. 76-578 adopted (Dunlap/Siefkin, maj. - Elliott, no - Kullijian and Mayor Davies, absent) granting rate increase of 50¢ per month from May 1, 1976 to August 31, 1976 inclusive, plus other adjustments in charges. (Finance to handle)

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

ACTION: John Funnell, member of the Farm-City Advisory Committee, was introduced.

#### NEW BUSINESS

##### CONSENT

14. Resolution adopting the Emergency Services Operational Plan as revised in 1976.  
(It is necessary to upgrade the City's Emergency Plan on a regular basis. This 1976 revision and upgrading is the first work on the Emergency Plan since 1972. Filing this plan is necessary if the City is to retain its surplus property purchasing privileges.  
(Resolution needed)

ACTION: Res. 76-579 adopted adopting Emergency Services Operational Plan as revised in 1976. (Fire to handle)

15. Letter from Muir Trail Girl Scout Council requesting use of Mancini Park for a day camp.  
(Request from Girl Scout Council to use Mancini Park for a day camp June 14-18, 1976, 9:00 A.M. to 1:00 P.M. Staff recommends approval and staff will work out details. Motion granting request needed)

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

By motion (Dunlap/Newton, unan.) request granted. (P & R to handle)

CONSENT

16. Consider approving agreement with Ernest W. Hahn for traffic signals at two locations near Vintage Faire Shopping Center.  
(Memo with agenda. The proposed agreement provides that Hahn will prepare plans and specifications for the signals to city standards and pay City to have signals installed. In addition, Hahn is to pay for the relocation of some signal equipment when Dale Road is widened. The cost of the project is estimated at \$133,000. Resolution approving agreement needed. Appropriation transfer to be requested later. Hahn is to pay City for signals when contract is ready to be awarded.)

ACTION: Res. 76-580 adopted approving agreement. (Clerk to handle)

CONSENT

17. Approve agreement for operation of Griffin Parking Lot on 12th between J and K Streets and parking rate change for this lot.  
(The new 5-year agreement provides that costs of operation will be borne by the owner and that the rates will be increased from 5¢ to 10¢ per hour. Resolution approving agreement, resolution changing parking meter zone from PM-3 to PM-9, and ordinance amending parking meter zoning map needed)

ACTION: Res. 76-581 adopted approving agreement. (Clerk to handle)

Res. 76-582 adopted changing parking meter zone from PM-3 to PM-9. (P & T to handle)

Ord. No. 1515-C.S. introduced amending parking meter zoning map. (Clerk to handle)

18. Final application for a comprehensive planning grant from the U.S. Department of Housing and Urban Development.  
(HUD has tentatively earmarked \$20,000 in 701 Planning Funds for Modesto. The final application requesting \$20,000 must be submitted by May 3, 1976. Memo with agenda. Resolution authorizing final application needed. Estimated cost: Federal, \$20,000; Local, \$10,000; Total, \$30,000).

ACTION: Res. 76-583 adopted Siefkin/Mensing, unan. - Kullijian and Mayor Davies, absent) authorizing final application. (Planning to handle)

CONSENT

19. Consider approval of final map of Wyldewood Meadow 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.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located north of Scenic Drive, west of Claus Road. It contains 5.07 acres. Resolution approving final map needed)

ACTION: Res. 76-584 adopted approving final map. (Clerk to handle)

CONSENT

20. Approval of updated job specifications for department heads.  
(Memo with agenda. Resolution approving updated job specifications needed)

ACTION: Res. 76-585 adopted approving updated specs. (Personnel to handle)

CONSENT

21. Consider agreement with Mr. and Mrs. Elmer Howell for care of Mancini Park as live-on caretakers.  
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 76-586 adopted approving agreement. (Clerk to handle)

CONSENT

22. Consider amendment to agreement with Mr. and Mrs. Herman F. Thornsbery to extend their occupancy of city property.  
(Memo with agenda. Resolution approving amendments to agreement needed)

ACTION: Res. 76-587 adopted approving amendment to agreement. (Clerk to handle)

CONSENT

23. Consider lease with Hertz Rent-A-Car Corporation at the Modesto City-County Airport/Harry Sham Field.  
(A lease agreement has been signed by Hertz Rent-A-Car and is ready for approval by the Council. Memo with agenda. Resolution approving lease needed)

ACTION: Res. 76-588 adopted approving lease. (Clerk to handle)

REPORTS

CONSENT

24. Notice of P. G. & E. application for gas rate increase.  
(Memo with agenda. The increase for domestic customers would be 2.4%. The increase is to offset higher charges to P. G. & E. by El Paso Natural Gas. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

APPROPRIATION TRANSFERS

CONSENT

25. Consider approval of appropriation transfer of \$3,500 from the General Fund, General Reserve, to Services, Professional & Other, in the City Manager's budget (Account 235-8-101) to provide funds for the services of E. Dean Price, Attorney at law, and court reporters in connection with the John F. Miller Personnel Commission hearing.  
(Resolution approving appropriation transfer needed)

ACTION: Res. 76-589 adopted approving appropriation transfer of \$3,500 from Account 60-101 to Account 235-8-101. (Finance to handle)

MISCELLANEOUS

26. Legislation.

ACTION: By motion (Dunlap/Mensing, unan.) AB 3198 supported.  
By motion (Siefkin/Mensing, unan.) SB 1866 supported.  
(C/Mgr to handle)

27. Appointments.

NONE

28. Matters too late for the agenda.

ACTION: The Council was reminded of Youth in Government Day to be held April 28.

29. The Council retired to executive session at 10:15 P.M. to discuss employee relations with the announcement that they would not return to open meeting.

Adjournment at 10:15 P.M.

ATTEST:

  
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W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 3, 1976 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,  
Siefkin, Mayor Davies  
Absent: None  
(Councilmember Newton arrived at 4:15 P.M.)

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 5, 6, 7, 8, 9, 10, 11,  
Items 16, 17a, 21, 24, 25 and 28 re- 19, 20, 23, 26, 27  
moved from consent  
Kullijian/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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of regular meeting of April 26, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Letter from President, Stanislaus Stamp Club, requesting relief from City of Modesto business license fees for annual stamp show to be held June 19 and 20, 1976.

ACTION: By motion (Dunlap/Siefkin, unan.) staff directed to enforce present ordinance but to meet with local groups to attempt to work out a new procedure as to local craftsman. (Finance to handle)

3. Letter from Mike and Diana Stockdale proposing amendment to business licensing procedure to permit such events as arts and crafts fair without licensing of participating craftsmen.

ACTION: By motion (Dunlap/Siefkin, unan.) staff directed to enforce present ordinance but to meet with local groups to attempt to work out a new procedure as to local craftsmen. (Finance to handle)

4. Letter regarding air conditioning at Modesto High School Auditorium. (Letter from Dr. Bert Corona asking the City to consider increasing their \$33,000 contribution to the air conditioning project. Motion directing staff needed)

ACTION: A motion (Elliott/Davies) to deny the request failed.

By motion (Kullijian/Mensinger, maj. - Elliott and Davies, no) intention declared to increase city contribution by \$5,667.00.  
(P & R to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for Project No. 5 - replacement of curbs and drive approaches on Geer Court.  
(Suggested bid opening date May 18, 1976 at 11:00 A.M. This project is required to repair, for proper drainage, curbs and drive approaches damaged by street trees. Resolution approving bid call needed. Estimated cost \$11,000. (\$10,000 Constr., \$1,000 Engr.). Funds are budgeted)

ACTION: Res. 76-590 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for construction of sewer to serve proposed utility building at Chrysler Park.  
(Suggested bid opening date May 18, 1976 at 11:10 A.M. This sewer is needed for the proposed restroom facilities at Chrysler Park. The City will be reimbursed for approximately one-half of the costs when the property to the east develops. Resolution approving bid call needed. Estimated cost \$13,000 (\$12,540, Const.; \$460 Engr.) Funds are budgeted)

ACTION: Res. 76-591 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for construction of waterlines in Lincoln Square No. 4 and Orangeburg Heights.  
(Suggested bid opening May 18, 1976 at 11:20 A.M.)
- |                    |                      |                    |
|--------------------|----------------------|--------------------|
| Costs & Revenues:  | Lincoln Square No. 4 | Orangeburg Heights |
| Construction       | \$41,765             | \$9,310            |
| Connection charges | 20,680               | 7,260              |
| Net revenues       | 1,636                | 574                |
- Resolution approving bid call needed. Estimated cost \$51,075  
(\$30,745 Const.; \$20,330 Engr. & Matls.) Funds are budgeted)

ACTION: Res. 76-592 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

8. Consider award of contract for the reconstruction of alley in Block 69.  
(Bids were opened April 27, 1976. The low bid of \$11,444 submitted by The Flintkote Company is 1.86% above the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to the Flintkote Company and resolution approving appropriation transfer needed. Estimated cost \$13,000 (\$11,444 contract; \$1,556 Engr. & Conty.)

ACTION: Res. 76-593 adopted awarding contract to The Flintkote Co.  
(P/W to handle)

Res. 76-594 adopted approving appropriation transfer of \$13,000 from Account 60-321 to Account 8043-56-321). (Finance to handle)

CONSENT

9. Consider acceptance of R & R Construction's contract for construction of waterlines in Wyldewood Grove No. 1. (Original contract \$6,180. 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 record notice of completion. Resolution accepting work as complete needed. Final cost: contract, \$5,380.60. (Main: \$4,605.60; Services \$775.) Funds are budgeted)

ACTION: Res. 76-595 adopted accepting contract. (Clerk to handle)

CONSENT

10. Consider installation of Fire Station No. 4 alarm circuit. (No bids were received for this project. It will be necessary to have the alarm circuit operational when the building is completed on June 27, 1976. It is therefore recommended that the City be authorized to complete the work with its own forces. Resolution authorizing city forces to install fire alarm circuit needed. (Five affirmative votes required). Estimated cost \$3,000. Funds are budgeted)

ACTION: Res. 76-596 adopted authorizing installation by city forces. (P/W to handle)

CONSENT

11. Consider award of contract for construction of waterlines in Briggsmore Place No. 2 and Sylvan Meadows East No. 3. (Bids were opened April 27, 1976. The low bid of \$24,371.50 submitted by Western Pipeline Company is 7% 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 Company needed. Estimated cost \$24,371.50. Funds are budgeted)

ACTION: Res. 76-597 adopted awarding contract to Western Pipeline Co. (P/W to handle)

HEARINGS

12. Hearing on amendment to Section 16-3-9 of zoning map to rezone from P-0 to P-D to allow construction and signs for a professional office complex at the south-east corner of Briggsmore & Sunrise. (Rule Development) 4:00 P.M.

ACTION: Ord. No. 1516-C.S. introduced (Elliott/Kullijian, unan.) rezoning subject area. (Clerk to handle)

Res. 76-598 adopted (Elliott/Kullijian, unan.) approving development plan (P-D(142)).

Res. 76-599 adopted (Elliott/Kullijian, unan.) directing Director of Planning and Community Development to file Notice re EIR. (Planning to handle)

13. Hearing on amendment to Section 15-3-9 of zoning map to rezone from R-2 and R-3 to P-0 Zone, property located on the north side of Lancey Drive, west of Oakdale Road. (Brannan) 4:05 P.M.

ACTION: Ord. No. 1517-C.S. introduced (Newton/Elliott, unan.) rezoning subject area. (Clerk to handle)

Res. 76-600 adopted (Newton/Elliott, unan.) directing Director of Planning & Community Development to file Notice re EIR. (Planning to handle)

14. Hearing on amendment to Section 8-3-9 of zoning map to rezone from R-1 to R-2, property located on the east side of Tully, south of Hetch Hetchy right of way. (Winsor) 4:10 P.M.

**ACTION:** Ord. No. 1518-C.S. introduced (Mensinger/Kullijian, unan.) rezoning subject area. (Clerk to handle)

Res. 76-601 adopted (Mensinger/Kullijian, unan.) directing Director of Planning and Community Development to file Notice re EIR. (Planning to handle)

15. Matters for the good of the community. (These may be presented by interested persons in the audience) 4:15 P.M.

**ACTION:** Robert Hubbard presented a petition by residents in Sherwood Forest North requesting that a sound barrier fence be constructed between the Twin McHenry Drive-In Theatres and their homes. By Order of the Chair, this was referred to staff for study and report. (P/W to handle)

#### ORDINANCES

16. Final adoption of the following ordinances: (Motions adopting needed)

(Councilmember Kullijian and Mayor Davies were excused from consideration of this item as they had not been present when the ordinances were introduced)  
(Vice Mayor Elliott presided)

(a) Ord. No. 1511-C.S. amending Section 9-3-9 of the zoning map - rezoning. (Tallent and Drake)

**ACTION:** By motion, (Dunlap/Mensinger, unan. - Kullijian and Davies, absent) Ord. No. 1511-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1512-C.S. amending Section 21-3-9 of zoning map. (Jean Campi)

**ACTION:** By motion (Dunlap/Mensinger, unan. - Kullijian and Davies, absent) Ord. No. 1512-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1513-C.S. amending Section 12-3-8 of zoning map. (Donald and Freida Beachler)

**ACTION:** By motion (Dunlap/Mensinger, unan. - Kullijian and Davies, absent) Ord. No. 1513-C.S. adopted. (Clerk to handle)

(d) Ord. No. 1514-C.S. amending Section 18-3-9 of zoning map. (Elmo Wilson, Sr.)

**ACTION:** By motion (Dunlap/Mensinger, unan. - Kullijian and Davies, absent) Ord. No. 1514-C.S. adopted. (Clerk to handle)

(e) Ord. No. 1515-C.S. amending parking meter zoning map.

**ACTION:** By motion (Dunlap/Mensinger, unan. - Kullijian and Davies, absent) Ord. No. 1515-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

17. Further consideration of request for vehicular access to Briggsmore from property located at northwest corner of Tully-Briggsmore.  
(Continued from April 26, 1976 meeting)

ACTION: Res. 76-602 adopted (Elliott/Kullijian, maj. - Dunlap and Siefkin, no) recommending to Board of Zoning Adjustment that right of access to Briggsmore should be recognized but limited to ingress only and located as far west as possible. (Planning to handle)

- 17a. Consider recommendation for an up-to-date appraisal of the former Lincoln School site property.  
(Memo with agenda. Motion approving recommendation needed)

ACTION: By motion (Dunlap/Kullijian, unan.) staff authorized to obtain appraisal of whole site with senior citizens residence site and hospital site separated. (P/W to handle)

NEW BUSINESS

18. Notice that City Clerk intends to retire as of July 17, 1976.

NO ACTION

CONSENT

19. Resolution commending Police Reserves for contributions to community welfare and safety during 1975.  
(Resolution needed)

ACTION: Res. 76-603 adopted commending Police Reserves. (Personnel to handle)

CONSENT

20. Consider raising aircraft tie-down landing fees and non-scheduled aircraft landing fees at the Modesto City-County Airport/Harry Sham Field.  
(It is recommended the aircraft tie-down landing fees and non-scheduled aircraft landing fees be raised. Memo with agenda. One resolution establishing revised charges and fees and three resolutions amending three fixed base operator leases needed)

ACTION: Res. 76-604 adopted establishing revised charges and fees.  
Res. 76-605 adopted amending Gottschalk Flight Center lease.  
Res. 76-606 adopted amending Hawke Flying Service lease.  
Res. 76-607 adopted amending Silvaire Aviation lease.  
(P/W to handle)

21. Consider addition of new streets to mandatory sidewalk program.  
(Memo with agenda. Motion approving addition of streets as recommended needed)

ACTION: By motion (Mensingher/Siefkin, unan.) addition of recommended streets approved. (P/W to handle)

22. Presentation of 1976-77 preliminary budget.  
(Copies of the budget will be distributed at the council meeting. The Council must set a date for a formal public hearing of the operating budget and the four-year Capital Improvement Program (June 14 at 8:00 P.M. is recommended) and establish a schedule for review of the budget and the four-year Capital Improvement Program, 1976-77 through 1979-80. Last year the Council met on Tuesdays and Thursdays at 4:00 P.M. to 5:30 P.M. until the review was completed. Resolution setting public hearing and motion establishing procedure for review of the budget and Capital Improvement Program needed)

ACTION: Res. 76-608 adopted (Elliott/Kullijian, unan.) setting June 14, 1976 at 7:35 P.M. for public hearing. (Clerk to handle)  
unan.  
By motion (Elliott/Kullijian) review of budget scheduled for Tuesdays and Thursdays from 4:00 P.M. to 5:30 P.M. starting May 11. (Finance to handle)

#### REPORTS

##### CONSENT

23. Report on United Air Lines, Inc., application to the Public Utilities Commission for increased intrastate excess baggage charges and for amending certain local and intrastate joint passenger rules.  
(Memo by Airport Manager with agenda, which is self-explanatory. The Director of Public Works concurs with the conclusions of the Airport Manager and recommends that no action be taken on the part of the City. Copy of United Air Lines application to P.U.C. is on file with the City Clerk. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

#### APPROPRIATION TRANSFER

24. Consider approval of appropriation transfer to the Waterline Extension Account (6804-410-321) for \$165,000 and to the New Services Account (6301-410-321) for \$45,000.  
(Memo with agenda. Resolution approving appropriation transfer needed)

ACTION: Res. 76-609 adopted (Kullijian/Dunlap, unan.) approving appropriation transfer of \$210,000 from Account 60-321 to Account 6804-410-321 (\$165,000) and Account 6301-410-321 (\$45,000).  
(Finance to handle)

#### REPORTS FROM THE PLANNING COMMISSION

25. Proposed amendments to Chapter 2 of Title 10, of the Modesto Municipal Code.  
(On April 20, 1976, the Planning Commission adopted Resolution No. 76-75 recommending to the Council amendments, additions and deletions to the zoning regulations to provide for off-street parking spaces for the physically handicapped. Resolution setting May 17, 1976 at 4:00 P.M. for hearing needed)

ACTION: Res. 76-610 adopted (Siefkin/Elliott, unan.) setting hearing.  
(Clerk to handle)

CONSENT

26. Recommend amendment to Section 24-3-9 of the zoning map - Rule Development.  
(On April 20, 1976, the Planning Commission adopted Res. No. 76-73 recommending to the Council an amendment to Section 24-3-9 of the zoning map to reclassify from Planned Development Zone, P-D(124) to Medium Density Residential Zone, R-2, property located at the northeast corner of Lakewood Avenue and East Orangeburg. Resolution setting May 24, 1976 at 7:40 P.M. for public hearing needed)

ACTION: Res. 76-611 adopted setting hearing. (Clerk to handle)

CONSENT

27. Recommend amendment to Section 33-3-9 of zoning map - Gary Sharar.  
(On April 20, 1976, the Planning Commission adopted Res. 76-74 recommending to the Council an amendment to Section 33-3-9 of the zoning map to reclassify from General Commercial Zone, C-2, to Planned Development Zone, P-D, property located on the northeast side of 12th St., s/e from F St., to allow a radiator shop and automotive repair and maintenance facility. Resolution setting hearing May 24, 1976 at 7:45 P.M. needed)

ACTION: Res. 76-612 adopted setting hearing. (Clerk to handle)

28. Proposed approval of a City of Ceres road strip annexation located on the east side of Herndon Ave. south of River Road.  
(Memo with agenda. Resolution approving City of Ceres annexation needed)

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

Res. 76-613 adopted (Dunlap/Elliott, unan. - Kullijian, absent) consenting to annexation. (Clerk to handle)

MISCELLANEOUS

29. Legislation.

ACTION: By motion (Dunlap/Mensing, unan.) SB 1652 supported.  
By motion (Mensing/Siefkin, maj.) SB 1736 supported.  
By motion (Dunlap/Kullijian, unan.) AB 3325 supported.  
By motion (Dunlap/Mensing, unan.) AB 3334 opposed.  
Action postponed on AB 3675.  
By motion (Siefkin/Mensing, unan.) AB 3760 supported.  
(C/Mgr to handle)

30. Appointments.

NONE

31. Matters too late for the agenda.

NONE

32. The Council retired to executive session at 6:40 P.M. to discuss personnel matters with the announcement that they would not return to open meeting.

Adjournment at 6:40 P.M. to 7:30 P.M. May 4, 1976 in the Council Chambers for further consideration of the Downtown Plan.

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

Modesto City Council  
Adjourned Regular Meeting  
May 4, 1976

The Council of the City of Modesto met in Adjourned Regular Meeting at 7:30 P.M. in the Council Chambers, 801 Eleventh Street, Modesto, California, for further consideration of the Downtown Plan.

Present: Councilmembers: Dunlap, Mensinger, Siefkin, Vice Mayor Elliott

Absent: Councilmembers: Kullijian, Newton, Mayor Davies  
(Vice Mayor Elliott presided)

The following actions were taken:

11TH STREET PARK (ITEM 19)

A motion (Siefkin/Mensinger) to endorse the concept of the closure and park (with no temporary closure unless recommended by the Director of Parking and Traffic) with project given a six-month priority and with the direction that the County be consulted failed as Councilmember Dunlap voted no.

By motion (Dunlap/Mensinger, unan.) staff directed to present this matter to Council as part of the C.I.P. discussions.

"I" STREET LANDSCAPED MEDIAN (ITEM 20)

A motion (Siefkin/Mensinger) to support the project and request the D.I.D. to provide funds for at least a portion of the cost failed as Vice Mayor Elliott voted no. No further action was taken.

ALLEY IMPROVEMENT

By motion (Dunlap/Mensinger, unan.) staff recommendation concerning Item 21 approved.

By motion (Mensinger/Dunlap, unan.) partial resurfacing of alleys permitted subject to approval of Public Works.

By motion (Dunlap/Mensinger, unan.) staff directed to look into resurfacing of alleys on a block by block basis at lesser standards (similar to residential alleys).

DOWNTOWN IMPROVEMENT DISTRICT

As Councilmember Mensinger disqualified herself from consideration of this item due to a conflict of interest, it was agreed that Items 24, 25, 26 and 27 would be discussed at a later meeting.

MERITORIOUS BUILDING PRESERVATION

By motion (Dunlap/Siefkin, unan.) staff recommendations on Items 28, 29 and 30 approved.

TIDEWATER SOUTHERN RAILWAY (ITEM 31)

By motion (Siefkin/Dunlap, unan.) matter dropped.

MAIN POST OFFICE (ITEM 32)

By motion (Siefkin/Mensinger, unan.) staff recommendation approved.

REDEVELOPMENT AGENCY (ITEM 33)

By motion (Mensing/Siefkin, unan.) staff recommendation approved.

The meeting adjourned at 10:15 P.M.

ATTEST:

*W. T. Chynoweth*  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 10, 1976 AT 7:30 P.M.

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

Pledge of allegiance to the Flag:

Invocation by Reverend Ken Jones, Modesto Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8,  
Siefkin/Mensinger, unan. - Dunlap and 9, 10, 11, 12, 14, 16, 17, 18,  
Newton, absent 19, 20, 21, 22, 23, 24, 26

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of May 3 and 4, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Appeal by C. A. and Doris M. Tallent to Planning Commission requirement for full street improvements along Sylvan Ave. frontage of "Parcel 2 Drake" in connection with Hyde Park Subdivision.  
(Resolution setting May 24, 1976 at 7:50 P.M. for hearing needed)

ACTION: Res. 76-614 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

3. Consider approval of specifications and authorize call for bids to be opened May 25, 1976 at 2:10 P.M. for furnishing municipal code printing.  
(Annual requirement. Printing will be purchased on a partial basis throughout the 1976-77 fiscal year. Resolution approving specs and bid call needed. Funds are budgeted. Estimated cost: \$3,500)

ACTION: Res. 76-615 adopted approving specifications and bid call.  
(Clerk to handle)

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened May 25, 1976 at 2:20 P.M. for furnishing annual requirements of ready-mix concrete.  
(Annual requirement. Materials to be purchased throughout the 1976-77 fiscal year. Resolution approving specs and bid call needed. Estimated cost \$7,000.00. Funds are budgeted)

ACTION: Res. 76-616 adopted approving specifications and bid call.  
(Clerk to handle)

**CONSENT**

5. Consider approval of specifications and authorize call for bids to be opened May 25, 1976 at 2:00 P.M. for furnishing double-jacket rubber-lined fire hose.  
(Hose to be installed on the three new 1500 G.P.M. pumpers expected to be delivered early in 1977. Funds were authorized by Council September 2, 1975. (R75-876). Resolution approving specs and bid call needed. Estimated cost: \$33,000. Funds are budgeted)

**ACTION:** Res. 76-617 adopted approving specifications and bid call.  
(Clerk to handle)

**CONSENT**

6. Consider approval of plans and specifications and call for bids for construction of waterlines in Hatch Road and Dallas Street from Crows Landing Road to Glenn Avenue.  
(Bid opening: May 25, 1976 at 11:20 A.M. This is a water strengthening project. Resolution needed. Estimated cost: \$58,055 (\$44,355 Const.; \$13,700 Engr. & Matls.) Funds are budgeted)

**ACTION:** Res. 76-618 adopted approving plans, specifications and bid call.  
(Clerk to handle)

**CONSENT**

7. Consider approval of plans and specifications and call for bids for construction of Police Parking Lot addition.  
(Bid Opening date: May 25, 1976 at 11:10 A.M. This project will provide an additional 18 parking spaces and a gasoline pumping facility. Resolution needed. Estimated Cost: \$16,250 (\$15,500 Const.; \$750 Engr.) Funds are budgeted)

**ACTION:** Res. 76-619 adopted approving plans, specifications and bid call.  
(Clerk to handle)

**CONSENT**

8. Consider approval of plans and specifications and call for bids for construction of irrigation systems and planting at Coleman F. Brown Park and Chrysler Park.  
(Bid Opening date: May 25, 1976 at 11:00 A.M. This is the next phase of construction that will landscape the two parks. Resolution needed. Estimated Cost: \$104,500 (\$101,500 Const.; \$3,000 Engr.) Funds are budgeted)

**ACTION:** Res. 76-620 adopted approving plans, specifications and bid call.  
(Clerk to handle)

**CONSENT**

9. Approval of plans and specifications and call for bids for Project No. 6 construction of curbs and drive approaches on Sunrise Avenue and alley approaches on E. Morris Avenue.  
(Bid Opening: May 25, 1976 at 11:15 A.M. This project is required to repair for proper grade and alignment of curbs incidental to the requirement of sidewalk and to complete the concrete improvements on E. Morris Ave. Resolution needed. Estimated Cost: \$14,850 (Contract \$13,500.00; Engr. \$1,350.00). Funds are budgeted)

**ACTION:** Res. 76-621 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

10. Consider award of contract for construction of Woodland Avenue Waterline - McWilliams Way to N. Emerald Avenue. (Bids were opened May 4, 1976. The low bid of \$6,967.90 submitted by Mac's Backhoe Service is 13% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Memo with agenda. Resolution awarding contract to Mac's Backhoe Service needed. Estimated Cost: \$6,967.90. Funds are budgeted)

ACTION: Res. 76-622 adopted awarding contract to Mac's Backhoe Service. (P/W to handle)

CONSENT

11. Consider award of contract for construction of lighting, mounds, and parking lot at Rose Avenue Park. (Bids were opened on May 4, 1976. The low bid of \$37,437.00 submitted by The Flintkote Company was 26% below the Engineer's Estimate and is considered acceptable. It is therefore recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated Cost: \$37,437.00. Funds are budgeted.

ACTION: Res. 76-623 adopted awarding contract to The Flintkote Co. (P/W to handle)

CONSENT

12. Consider acceptance of Ferrero Electric's contract for installation of lights in Garrison, Whitmore, Catherine Everett, Pike, West Side and Moose Parks. Original Contract: \$22,672.00. (All work on this project has been completed to the satisfaction of the Parks 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, \$22,672.00. Funds are budgeted)

ACTION: Res. 76-624 adopted accepting contract. (Clerk to handle)

HEARINGS

13. Matters for the good of the community. 7:30 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. 1516-C.S. (Amendment to Sec. 16-3-9, Rule Development)

ACTION: By motion, Ord. No. 1516-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1517-C.S. (Amendment to Sec. 15-3-9, Brannan)

ACTION: By motion, Ord. No. 1517-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1518-C.S. (Amendment to Sec. 8-3-9, Winsor)

ACTION: By motion, Ord. No. 1518-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

15. Firefighters' Request Concerning Paramedic Program.  
(Memo with agenda. Motion acknowledging receipt of report and directing City Manager to consider means and cost of providing additional suggested staff training needed)

ACTION: By motion (Kullijian/Elliott, unan.) receipt of report acknowledged and City Manager directed to consider means and costs of providing additional suggested staff training. (C/Mgr to handle)

NEW BUSINESS

CONSENT

16. Consider request for sewer service to property at 1912 and 1914 Crows Landing Road, located on the east side of Crows Landing Road between Glenn Avenue and Imperial Avenue.  
(OWNERS: Joseph, Harold, Donald J. and Nathan D. Agresti have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a sewer line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 76-625 adopted approving agreement. (P/W to handle)

CONSENT

17. Consider finding of public necessity to exercise the power of eminent domain on the Standiford, Lateral 7 to Dale project, and authorize the City Attorney to institute condemnation action. (Joe Trombetta, et al)  
(Memo with agenda. Resolution needed)

ACTION: Res. 76-626 adopted authorizing City Attorney to institute action. (C/Atty to handle)

CONSENT

18. Consider finding of public necessity to exercise the power of eminent domain on the Standiford, Lateral 7 to Dale project, and authorize the City Attorney to institute condemnation action. (Aaron Miller, et al)  
(Memo with agenda. Resolution needed)

ACTION: Res. 76-627 adopted authorizing City Attorney to institute action. (C/Atty to handle)

CONSENT

19. Approve agreement with State for installation of crossing gates and flashing lights at Standiford Avenue and the Tidewater Southern crossing.  
(A federal program will pay 90% of the cost of gates and lights and the City will pay the remainder. Memo with agenda. Resolution approving Program Supplement No. 2 to Local Agency-State Agreement No. 3 needed. Estimated Cost: \$3,225.00. Funds are budgeted)

ACTION: Res. 76-628 adopted approving Program Supplement No. 2 to agreement. (P & T to handle)

Consider resolution accepting improvements in Northridge No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (This subdivision is located on the north side of 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. 76-629 adopted accepting improvements. (Clerk to handle)

CONSENT

21. Consider funding a publicity campaign on conservation of water during the months of June, July and August in cooperation with the Del Este Water Company. (Memo with agenda. (1) Motion approving proposed publicity campaign on conservation of water; (2) Resolution approving Appropriation Transfer needed. Estimated Cost: \$2,250.00. Funds are budgeted)

ACTION: By motion, publicity campaign approved. (P/W to handle)

Res. 76-630 adopted approving appropriation transfer of \$2,250 from Account 6826-50-101 to Account 5302-50-101. (Finance to handle)

CONSENT

22. Consider approval of additional payment to Joe Martin for construction of waterlines in Carver Village No. 2. (Memo with agenda. Resolution needed. Added Cost: \$1,592.50. Funds are budgeted)

ACTION: Res. 76-631 adopted approving payment. (Finance to handle)

REPORTS

CONSENT

23. Quarterly report of Chamber of Commerce. (Motion accepting needed)

ACTION: By motion, report accepted.

CONSENT

24. Presentation of Financial Statement for April, 1976. (Report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

25. Report by Animal Control Committee. (Decision needed as to time for informal public hearing on May 17)

ACTION: By motion (Siefkin/Mensing, unan.) May 17, 1976 at 4:05 P.M. for informal hearing. (Clerk to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

26. Recommend amendment to Section 10-3-9 of the Zoning Map - Stone Bros. (On April 20, 1976, the Planning Commission adopted Res. 76-72 recommending to the Council an amendment to Section 10-3-9 to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, and Professional Office Zone, P-0, property located east of Coffee Road and North of Sylvan Avenue. Resolution setting June 14, 1976 at 7:40 P.M. for public hearing needed)

ACTION: Res. 76-632 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

27. Legislation.

NONE

28. Appointments.

NONE

29. Matters too late for the agenda.

NONE

30. The Council retired to executive session at 7:50 P.M. to discuss personnel matters and returned to open meeting at 8:05 P.M.

ACTION: Res. 76-633 adopted (Elliott/Kullijian, unan. - Dunlap and Newton, absent) appointing Norrine Coyle as City Clerk and Auditor beginning July 17, 1976. (Clerk to handle)

Adjournment at 8:10 P.M. to 4:00 P.M. on May 11, 1976 for the purpose of beginning study of the 1976-77 budget.

ATTEST:

  
W. T. CHYMOWETH, City Clerk

Modesto City Council  
Adjourned Regular Meeting  
May 11, 1976

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, to consider the preliminary budget for 1976-77.

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

The City Manager gave a brief resume of the budget message. Council and staff then discussed the budget process. It was agreed that supplemental requests would be considered at the same time as the operating budgets.

The following budgets were considered:

CITY COUNCIL - 70 (P. 31)

CITY MANAGER - 80 (P. 32-35)

CITY MANAGER - 90 (P. 36-37)

CITY MANAGER - 100 (P. 38-41)

CITY MANAGER - 110 (P. 42-43)

CITY ATTORNEY - 130 (P. 44-45)


(The City Attorney was excused from attending the budget sessions provided that he would be available if needed)

CITY CLERK & AUDITOR - 140 (P. 46-47)

FINANCE - 150 (P. 48-51)

The meeting was adjourned at 5:40 P.M.

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 17, 1976 AT 4:00 P.M.

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

Absent: Dunlap  
(Councilmember Newton arrived at 4:03 P.M. and was  
excused at 6:10 P.M.)  
(Mayor Davies was excused at 6:15 P.M. and Vice Mayor  
Elliott presided)

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1a, 3, 5, 6, 7, 8, 9, 10,  
Items 19 and 21 removed from consent 11, 12, 13, 14, 18, 22, 23, 24,  
Kullijian/Mensinger, unan. - Dunlap and 25  
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 Johnston Lowell Floor Covering of "The American Legend Rug" to the City of Modesto.

ACTION: Two rugs were presented for display at City Hall and the McHenry Museum. Mayor Davies accepted them on behalf of the City of Modesto.

APPROVAL OF MINUTES

CONSENT

- 1a. Minutes of May 10 and 11, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Request of Easter Seal Society that May 16-22 be declared "National Handicapped Awareness Week." In addition, the Barrier Free Committee will present a booklet to the Council.

ACTION: Mayor Davies stated that the requested proclamation had been issued. A booklet was presented and will be available to the public.

CONSENT

3. Application on behalf of Arlynn Valentine Zuber to present a late claim against the City.  
(Memo with agenda. Resolution denying application needed)

ACTION: Res. 76-634 adopted denying application. (Clerk to handle)

4. Request of the Transaditise Company for change in ordinance granting franchise to permit waiver by City Manager of approval of placement of bus benches by abutting property owners and also for five-year extension of present franchise which expires December 31, 1976.  
(Memo with agenda)

ACTION: By motion (Kullijian/Davies, maj. - Mensinger and Siefkin, no) intention declared to continue present franchise for five more years after December 31, 1976 with mutual consent by City and franchise holder as to location of benches; staff directed to prepare a change in Section 9 of Ordinance No. 1486-C.S. as recommended; staff given an additional three weeks for further study and report on this matter. (P & T to handle)

#### BIDS

##### CONSENT

5. Consider approval of specifications and authorize call for bids to be opened June 1, 1976 at 2:10 P.M. for furnishing annual requirements for traffic line paint.  
(Annual requirement. Paint used by Parking and Traffic for the purpose of marking traffic lanes, crossings, and curb surfaces. Paint to be purchased intermittently through the year. Resolution authorizing call for bids needed. Funds are budgeted)

ACTION: Res. 76-635 adopted approving specifications and bid call.  
(Clerk to handle)

##### CONSENT

6. Approve plans and specifications and call for bids for installing traffic signals at three locations near Vintage Faire Shopping Center.  
(Memo with agenda. Bid opening June 15, 1976 at 2:00 P.M. The project, estimated at \$223,000, will be financed entirely by Ernest W. Hahn, Inc. Completion date is January 17, 1977. Resolution approving bid call needed. Funds are budgeted)

ACTION: Res. 76-636 adopted approving plans, specifications and bid call.  
(Clerk to handle)

##### CONSENT

7. Consider approval of plans and specifications and call for bids for furnishing and installing play equipment at Woodrow Park and Davis Park.  
(Suggested bid opening date June 1, 1976 at 11:10 A.M. This project will provide play equipment for the sand box areas. Resolution approving bid call needed. Estimated cost \$46,000 (Woodrow, \$18,900 Con.; \$1,100 Eng.; Davis: \$24,700 Con.; \$1,300 Eng. Funds are budgeted)

ACTION: Res. 76-637 adopted approving plans and specifications and bid call. (Clerk to handle)

##### CONSENT

8. Consider approval of plans and specifications and call for bids for assembly and installation of equipment at Rose Avenue Park.  
(Suggested bid opening June 1, 1976 at 11:00 A.M. This equipment has been previously purchased and it is now necessary to have it installed. Resolution approving bid call needed. Estimated cost \$8,000 (\$7,500 Const.; \$500.00 Engr. Funds are budgeted)

ACTION: Res. 76-638 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

9. Consider award of contract for construction of waterlines in Sonoma Plaza No. 2 and Strathmore Village No. 2. (Bids were opened May 11, 1976. The low bid of \$25,504 submitted by Western Pipeline Company, Inc. is 9% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$25,504. Funds are budgeted)

ACTION: Res. 76-639 adopted awarding contract to Western Pipeline Co., Inc. (P/W to handle)

CONSENT

10. Consider acceptance of Lee White Paving's contract for construction of Phase I at Coleman F. Brown Park. (Original contract \$61,457.64. 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 record notice of completion. Resolution accepting work as complete needed. Final cost, construction: \$61,457.64. Funds are budgeted)

ACTION: Res. 76-640 adopted accepting contract. (Clerk to handle)

CONSENT

11. Consider acceptance of Wolverine Building Service contract for construction of walks, terrace, and pool at Woodrow Park. (Original contract \$65,580. 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 record notice of completion. Resolution accepting work as complete needed. Final cost, construction: \$66,115.47. Funds are budgeted)

ACTION: Res. 76-641 adopted accepting contract. (Clerk to handle)

CONSENT

12. Consider acceptance of Tri County Builder's contract for construction of picnic shelter in Beard Brook Park. (Original contract \$28,992). (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 record notice of completion. Resolution accepting work as complete and resolution approving appropriation transfer of \$818.00 needed. Funds are partially budgeted. Final cost, contract: \$30,331)

ACTION: Res. 76-642 adopted accepting contract. (Clerk to handle)

Res. 76-643 adopted approving appropriation transfer of \$818.00 from Account No. 60-800-321 to Account 6338-31-321. (Finance to handle)

CONSENT

13. Consider acceptance of Lee White Paving contract for construction of Phase I at Chrysler Park. (Original contract \$50,800. All work on this project has been completed to the satisfaction of the Parks Department and Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost, contract: \$48,599.56. Funds are budgeted)

ACTION: Res. 76-644 adopted accepting contract. (Clerk to handle)

**CONSENT**

14. Consider rejection of bids for twenty (20) golf carts submitted April 27, 1976 at 2:00 P.M. Consider approval of revised specifications and authorizing new bids to be opened June 8, 1976 at 2:30 P.M. for furnishing twenty (20) electric-powered golf carts.  
(Memo with agenda. Estimated cost \$31,482. Appropriation transfer to be requested later when exact cost is known. Funds to be transferred from General Reserve)

**ACTION:** Res. 76-645 adopted rejecting bids. (Finance to handle)  
Res. 76-646 adopted approving specifications and bid call.  
(Clerk to handle)

**HEARINGS**

15. Hearing on amendment to Chapter 2 of Title 10 of the Modesto Municipal Code - amendments, additions and deletions to the zoning regulations to provide for off-street parking spaces for the physically handicapped. 4:00 P.M.

**ACTION:** Ord. No. 1519-C.S. introduced (Elliott/Kullijian, unan. - Dunlap, absent) amending Chapter 2 of Title X of Code. (Clerk to handle)

16. Informal hearing on report by Animal Control Committee. 4:05 P.M.

**ACTION:** Ord. No. 1520-C.S. adopted (Siefkin/Mensing, unan. - Dunlap, absent) as emergency ordinance changing dog license fees to \$8.00 for unspayed or unneutered and \$4.00 for spayed and neutered dogs. (Clerk to handle)

Ord. No. 1521-C.S. introduced (Siefkin/Mensing, unan. - Dunlap, absent) changing dog license fees to \$8.00 for unspayed or unneutered and \$4.00 for spayed and neutered dogs. (Clerk to handle)

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

NONE

**NEW BUSINESS**

**CONSENT**

18. Authorize filing claim with SAAG for \$32,000 in County Local Transportation Funds for bus operation.  
(The County has approved the agreement for operation of Routes 1 - 6. A resolution is needed authorizing filing of the claim. Memo with agenda. Resolution authorizing filing of claim needed)

**ACTION:** Res. 76-647 adopted authorizing filing of claim. (P & T to handle)

19. Uninhabited annexation to the City of Modesto - Sylvan No. 2 Addition.  
(The LAF Commission has authorized this annexation without notice of public hearing - 19th of March, 1976. Resolution approving annexation needed)

**ACTION:** Res. 76-648 adopted (Siefkin/Elliott, unan. - Dunlap and Newton, absent) annexing Sylvan No. 2 Addition to City of Modesto.  
(Clerk to handle)

20. Request by residents of the Revard Park area for further consideration of extension of Bodega Lane.  
(Copies of petition and memo from city staff with agenda. Motion directing staff needed)

continued

ACTION: By motion (Kullijian/Siefkin, unan.) further consideration/to June 14. (Clerk to handle)

21. Consider letter from Mr. Jim Rose, Attorney for garbage companies, asking for rate increase and authorization of staff to negotiate an agreement with Ralph Andersen and Associates to review the garbage companies' request.  
(Letter and memo with agenda. Motion authorizing staff to negotiate an agreement with Ralph Andersen and Associates, and resolution approving appropriation transfer needed. Estimated cost \$5,000. Funds are budgeted partially)

(Kullijian/Mensing, unan.)

ACTION: By motion, staff authorized to negotiate agreement. (P/W to handle)

Res. 76-649 adopted (Kullijian/Mensing, unan. - Dunlap, Newton and Mayor Davies, absent) approving appropriation transfer of \$5,000.00 from Account 60-800-101 to Account No. 235-02-650-101.  
(Finance to handle)

CONSENT

22. Request for refund of business license tax overpaid by Griffin's Shell Service.  
(Memo with agenda. Resolution authorizing refund needed.)

ACTION: Res. 76-650 adopted authorizing refund of \$1,028.79 to Griffin's Shell Service. (Finance to handle)

REPORTS

CONSENT

23. Quarterly report, January - March 1976, on Ecology Action Curbside Recycling Program.  
(The salvageable waste license issued to Ecology Action requires periodic reports on their activities. Their report for the first quarter of 1976 is submitted to Council indicating tonnages and income generated for that period. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

- 23a. Annual report of the Human Rights Commission.

ACTION: By Order of the Chair, staff was authorized to arrange a meeting between Mrs. Manrique, Mayor Davies and the City Manager to discuss this matter. (C/Mgr to handle)

APPROPRIATION TRANSFERS

CONSENT

24. Request for additional funds for Housing Program Tool Bank.  
(Memo with agenda. Resolution approving appropriation transfer of \$500 from General Reserve needed)

ACTION: Res. 76-651 adopted approving appropriation transfer of \$500 from Account 60-800-101 to Account 439-65-101. (Finance to handle)

CONSENT

25. Appropriation transfer from the General Reserve of the General Fund to Account 110-180-101, Salaries & Wages, Regular, to provide for currently authorized positions in the Planning Department. (Memo with agenda. Resolution approving transfer needed. Estimated cost \$11,000)

ACTION: Res. 76-652 adopted approving appropriation transfer of \$11,000 from Account 60-800-101 to Account 110-180-101. (Finance to handle)

MISCELLANEOUS

26. Legislation.

NONE

27. Appointments.

NONE

28. Matters too late for the agenda.

NONE

29. Executive session to discuss personnel matters.

THIS WAS NOT NEEDED

The meeting was adjourned at 6:40 P.M. to May 18, 1976 at 4:00 P.M. for further consideration of the budget.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

Modesto City Council  
Adjourned Regular Meeting  
May 18, 1976

The Council of the City of Modesto met pursuant to adjournment to give further consideration to the budget for the fiscal year 1976-77.

Present: Councilmembers: Elliott, Mensinger, Mayor Davies

Absent: Councilmembers: Dunlap, Kullijian, Newton, Siefkin

Due to the lack of a quorum, the meeting was adjourned to Thursday, May 20, 1976, at 4:00 P.M.

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

5/18/76

Modesto City Council  
Adjourned Regular Meeting  
May 20, 1976

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, to further consider the preliminary budget for 1976-77.

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

The following budgets were considered:

PLANNING & COMMUNITY DEVELOPMENT - 180 (P. 52, 53, 55)  
PLANNING & COMMUNITY DEVELOPMENT COMPREHENSIVE PLANNING - 181 (P. 56, 57)  
HOUSING & COMMUNITY DEVELOPMENT FUND 224 - 185 (P. 180, 180a, 181, 182)  
FIRE - 210 (P. 58, 59, 60, 61, 61a)  
DISASTER & CIVIL DEFENSE - 211 (P. 62.63)  
POLICE - 220 (P. 64, 65, 66, 67, 68, 68a, 69, 70)  
NEIGHBORHOOD YOUTH ADVISOR FUND - 221 (P. 178, 179)  
PARKS & RECREATION ADMINISTRATION - 270 (P. 72, 73)  
PARKS & RECREATION MUSEUM - 290 (P. 74, 74a, 75, 76)  
PARKS & RECREATION McHENRY HOUSE - 291 (P. 77a, 77b)  
PARKS & RECREATION KING-KENNEDY - 300 (P. 78, 78a, 79)  
PARKS & RECREATION - RECREATION - 320 (P. 80, 81, 83, 84)  
PARKS & RECREATION - MADDUX YOUTH CENTER - 330 (P. 86, 87)  
PARKS & RECREATION - COMMUNITY CENTER - 340 (P. 88, 88a, 89)  
PARKS & RECREATION - PARKS - 350 (P. 90, 91, 93, 94)  
PARKS & RECREATION - TREES - 360 (P. 96, 97, 99)  
PARKS & RECREATION - 9-HOLE GOLF COURSE - 370 (P. 100, 101, 103)  
PARKS & RECREATION - DRYDEN - 380 (P. 104, 105, 107, 108)  
PARKS & RECREATION - SENIOR CITIZENS - 390 (P. 110, 111)  
TUOLUMNE RIVER REGIONAL PARK FUND - 323 (P. 186b, 187)

The meeting was adjourned at 5:35 P.M.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, MAY 24, 1976 AT 7:30 P.M.

Roll call Present: Elliott, Kullijian, Mensinger, Newton, Siefkin,  
Mayor Davies  
Absent: Dunlap  
(Councilmember Newton was excused at 11:25 P.M.)

Pledge of allegiance to the Flag.

Invocation by Reverend O. D. Johnson, First Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 5, 6, 7, 9, 10, 11,  
Item 8 dropped from agenda 12, 13, 14, 15, 16, 24a, 26, 27,  
Items 24b, 37 and 39 removed from consent 28, 29, 31, 32, 33, 34, 35, 36,  
Newton/Kullijian, unan. - Dunlap, absent 38, 40, 41

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of May 17 and 18, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Fourth of July Committee for July 5th Celebration:

- 1) Barricades to be placed on "I" Street between 11th and 12th Streets from 9:30 A.M. through 3:30 P.M.
- 2) 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 July 3rd or 4th.
- 3) Use of a public address system (to be furnished by our committee) at the reviewing stand.
- 4) Use of the City Ball Park the evening of July 5th for entertainment and fireworks. The city to supply a standby fire truck (Along with the county). The American Legion to furnish auxiliary police for patrol and added protection.
- 5) The parade route to be the same as last year, starting at Tenth and F, north on Tenth to J, east on J to 11th, south on 11th to I, east on I to 16th and I Street and disband.  
(Resolution granting request needed)

ACTION: Res. 76-653 adopted granting request. (P/W to handle #1, P & R to handle #2 and #4, P & T to handle #5, Fire to handle #4 and Police to handle #5)

3. Letter from Women's Improvement Club of Modesto stating that the Club has sent \$2,000 to the Greater Modesto Foundation to be held until needed for restoration of the McHenry Mansion.  
(Resolution accepting with appreciation needed)

ACTION: Res. 76-654 adopted (Siefkin/Elliott, unan. - Dunlap, absent) accepting gift with thanks. (Clerk to handle)

4. Presentation by the Modesto Emblem Club No. 140 of a check for installation of a piece of play equipment in Woodrow Park.  
(Resolution accepting with appreciation needed)

ACTION: Res. 76-655 adopted (Mensingher/Elliott, unan. - Dunlap, absent) accepting gift/with thanks. (Clerk to handle)  
of \$1,050

#### BIDS

##### CONSENT

5. Consider waiving formal bid procedures for the purchase of Micro-Aid (sponified steroid) and authorize the purchase of an estimated 8,000 gallons of micro-aid from Distributor Processing for \$10.10 per gallon. Purchases to be made intermittently throughout the year.  
(Memo with agenda. Resolution waiving formal bid and authorizing purchase (five affirmative votes needed). Estimated Cost: \$84,800; Funds are budgeted)

ACTION: Res. 76-656 adopted waiving formal bid procedure and authorizing purchase from Distributor Processing. (Finance to handle)

##### CONSENT

6. Consider approval of specifications and authorize call for bids to be opened June 8, 1976 at 2:20 P.M. for furnishing annual requirements of rock, sand and gravel.  
Materials used by Street Division for repairs; Parks Department for sand traps; and other City projects. Purchases made intermittently throughout the year. Resolution authorizing call to bid needed. Estimated Cost: \$20,000; funds are budgeted)

ACTION: Res. 76-657 adopted approving specifications and bid call.  
(Clerk to handle)

##### CONSENT

7. Consider approval of specifications and authorize call for bids to be opened June 8, 1976 at 2:10 P.M. for furnishing annual requirements of liquid and emulsified asphalts.  
(Materials to be used as cut-back asphalt binder and for the City seal coat program. Materials to be purchased intermittently throughout the year. Resolution authorizing call to bid needed. Estimated Cost: \$33,000; funds are budgeted)

ACTION: Res. 76-658 adopted approving specifications and bid call.  
(Clerk to handle)

8. Consider approval of plans and specifications and call for bids for construction of bicycle bridge across M.I.D. Lateral No. 4 at Magnolia Avenue and authorize the City Manager to sign the Agreement with M.I.D. for Right of Way use.  
(Bid opening June 8, 1976 at 11:10 A.M. (1) Resolution approving plans and specifications and call for bids. (2) Resolution approving agreement with M.I.D. and authorizing City Manager to sign. Estimated Cost: \$7,000; funds are budgeted)

DROPPED FROM AGENDA

CONSENT

9. Consider approval of plans and specifications and call for bids for construction of Utility Building at Coleman F. Brown Park. (Bid opening June 8, 1976 at 11:15 A.M. This building has been planned as part of the Master Plan. Resolution approving plans and specs and bid call needed. Estimated Cost: \$42,000 (\$40,000 Const.; \$2,000 Engr.). Funds are budgeted)

ACTION: Res. 76-659 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for McClure House Repainting and reroofing. (Bid opening June 8, 1976 at 11:00 A.M. This project is necessary to maintain the structure. Resolution approving plans and specs and call for bids needed. Estimated Cost: \$12,500 (\$12,000 Const. \$500 Engr.) Funds are budgeted)

ACTION: Res. 76-660 adopted approving plans, specifications and bid call. (Clerk to handle)

CONSENT

11. Consider award of contract for construction of waterlines in Lincoln Square No. 4 and Orangeburg Heights. (Bids were opened May 18, 1976. The low bid of \$30,237.00 submitted by Western Pipeline Company 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: \$30,237.00; funds are budgeted)

ACTION: Res. 76-661 adopted awarding contract to Western Pipeline Co. (P/W to handle)

CONSENT

12. Consider awarding contract for modification of Briggsmore and Oakdale and Scenic and El Vista/Oakdale traffic signals. (The low bid of \$21,365 is from Ferrero Electric, Inc. It is recommended the contract be awarded to them. A transfer will be necessary. Memo with agenda. Resolution awarding contract and resolution approving transfer of \$6,000 needed. Estimated Cost: \$23,000; funds are budgeted)

ACTION: Res. 76-662 adopted awarding contract to Ferrero Electric, Inc. (P & T to handle)

Res. 76-663 adopted approving appropriation transfer of \$6,000 from Account 6082-560-321 to Account 6069-560-321. (Finance to handle)

CONSENT

13. Consider award of contract for Project No. 5 - Replacement of curbs and drive approaches on Geer Court. (Bids were opened on May 18, 1976. The low bid of \$8,250.00 submitted by Gib Goodrum, which is 17.5% below the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated Cost: \$8,250; funds are budgeted)

ACTION: Res. 76-664 adopted awarding contract to Gib Goodrum. (P/W to handle)

CONSENT

14. Consider acceptance of ABC Backhoe's contract for construction of sewer extension at United Terminal. Original contract: \$3,082.50. (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 the Notice of Completion. Resolution accepting work as complete needed. Final Cost: Contract \$3,172.00; funds are budgeted)

ACTION: Res. 76-665 adopted accepting contract. (Clerk to handle)

CONSENT

15. Consider acceptance of Osterberg & Stewart's contract for Drilling, Casing, Testing and Developing Well No. 16. Original Contract: \$14,862.50. (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 the Notice of Completion. Resolution accepting work as complete needed. Final cost, Contract \$15,053.55. Funds are budgeted)

ACTION: Res. 76-666 adopted accepting contract. (Clerk to handle)

CONSENT

16. Consider acceptance of Joe Martin's contract for construction of waterlines in Strathmore Village No. 1. Original contract: \$9,378. (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 the Notice of Completion. Resolution accepting work as complete needed. Final Cost, contract \$9,807.33 (Main: \$9,157.33; Services \$650.00). Funds are budgeted)

ACTION: Res. 76-667 adopted accepting contract. (Clerk to handle)

HEARINGS

17. Hearing, annexation of Coffee-Lucern No. 1 Addition to Modesto Municipal Sewer District No. 1. 7:30 P.M.

ACTION: Res. 76-668 adopted (Kullijian/Newton, unan. - Dunlap, absent) annexing Coffee-Lucern No. 1 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

18. Hearing on orders to construct sidewalks at the following locations: (Project No. 75/20/01-75-11, except (t). 7:35 P.M.

- a. Sidewalk along Yosemite Blvd. at 1105 Yosemite Blvd., portion of Block 2054. (Margaret E. Agen)
- b. Sidewalk along Yosemite Blvd. at 1921 Yosemite Blvd., Lot 1 of Block 2195. (Richard Bolton)
- c. Sidewalk at 743 Yosemite Blvd., Lots 9 and 10 of Block 259. (Raymond G. Diaz)
- d. Sidewalk at 1735, 1739 and 1743 Yosemite Blvd., portion of Lot 2125-A. (George W. Eisenhut)  
(Drop-work already done)

DROPPED

- e. Sidewalk along Yosemite Blvd. at 1234 Yosemite Blvd., Lot 1 and 2, Block 2053. (Exxon Corporation)

18. Hearing on orders to construct sidewalks, continued. 7:35 P.M.

- f. Sidewalk along Yosemite Blvd. at 1915 Yosemite Blvd., portion of Block 2185. (Frank Girodo)
- g. Sidewalk at 1717 Yosemite Blvd., portion of Block 2125-A. (Gerald E. Grover)
- h. Sidewalk along Yosemite Blvd. at 1027 Yosemite Blvd., portion of Block 2032. (Ronald R. Haht)
- i. Sidewalk along Yosemite Blvd. at 1516 Yosemite Blvd., portion of Block 2122. (Earlmond Hathaway)
- j. Sidewalk along Yosemite Blvd. at 1503 Yosemite Blvd., portion of Block 2126. (Alex Jacobs Sr.)
- k. Sidewalk along Yosemite Blvd. at 822 and 904 Yosemite Blvd., portion of Block 2015. (Elmer A. Kirkle)
- l. Sidewalk at 1600 Yosemite Blvd., portion of Block 2123. (La Loma Properties, Inc.) (Drop - work already done)

DROPPED

- m. Sidewalk along Yosemite Blvd. at 1805 Yosemite Blvd., portion of Block 2155. (Andrew W. Lepape)
- n. Sidewalk at 1524 Yosemite Blvd., portion of Block 2122. (Pearle T. Mann)
- o. Sidewalk at 1119 Yosemite Blvd., portion of Block 2054. (M.T.S.P.) (Drop - work already done)

DROPPED

- p. Sidewalk along Yosemite Blvd., at 1002 Yosemite Blvd., and 106 Santa Rita Avenue, portion of Block 2036. (C.W. Noble and George W. Kyle)
- q. Sidewalk along Yosemite Blvd. at 2301 Yosemite Blvd., Lots 11 and 12 of Block 2265. (Norman Quigley)
- r. Sidewalk at 1733 Yosemite Blvd., portion of Block 2125-A. (C. H. Samuelson)
- s. Sidewalk along Yosemite Blvd. at 1601, 1605, and 1607 Yosemite Blvd., portion of Block 2125. (Glenn E. Schach)
- u. Sidewalk at 1007 Yosemite Blvd., portion of Block 2032. (James Van Parks) (Drop - work already done)

DROPPED

- v. Sidewalk at 1721 Yosemite Blvd., portion of Block 2125-A. (Harry B. Wilkinson)
- w. Sidewalk at 1011 Yosemite Blvd., portion of Block 2032. (Charles D. Woodward)
- x. Sidewalk along Yosemite Blvd., at 115 S. Santa Ana Avenue, Lot 1 of Block 2036. (Joseph Garibaldi)

18. Hearing on orders to construct sidewalks, continued. 7:35 P.M.

ACTION: Res. 76-669 adopted (Elliott/Kullijian, unan. - Dunlap, absent) ordering construction in all unimproved areas in the usual manner and ordering construction in all areas that now have surfacing to be commenced at the earliest of the following:

1. May 1, 1981.
2. Ownership of property changes.
3. Present surfacing is in need of repair.
4. Municipal Code requires installation in connection with any permits issued by the City.  
(P/W to handle)

19. Hearing on orders to construct sidewalk along Yosemite Blvd. at 731 and 735 Yosemite Blvd., a portion of Block 259. (Alden Steinbeck) 7:35 P.M.

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

By motion (Mensingher/Elliott, unan.) hearing continued to June 7, 1976 at 4:00 P.M.

20. Hearing on amendment to Section 24-3-9 of the zoning map to reclassify from Planned Development Zone, P-D(124) to Medium Density Residential Zone, R-2, property located at the northeast corner of Lakewood Avenue and East Orangeburg. (Rule Development) 7:40 P.M.

ACTION: Ord. No. 1522-C.S. introduced (Elliott/Kullijian, unan. - Dunlap, absent) amending Sec. 24-3-9 of zoning map. (Clerk to handle)

Res. 76-670 adopted (Elliott/Kullijian, unan. - Dunlap, absent) directing Director of Planning and Community Development to file Notice re EIR. (Planning to handle)

21. Hearing on amendment to Section 33-3-9 of zoning map to reclassify from General Commercial Zone, C-2, to Planned Development Zone, P-D, property located on the northeast side of 12th Street, southeast from F Street, to allow a radiator shop and automotive repair and maintenance facility. (Gary Sharar) 7:45 P.M.

ACTION: Ord. No. 1523-C.S. introduced (Elliott/Kullijian, unan. - Dunlap, absent) amending Sec. 33-3-9 of zoning map. (Clerk to handle)

Res. 76-671 adopted (Elliott/Kullijian, unan. - Dunlap, absent) approving development plan (with addition of chain link fence).

Res. 76-672 adopted (Elliott/Kullijian, unan. - Dunlap, absent) directing Director of Planning and Community Development to file Notice re EIR. (Planning to handle)

22. Hearing on appeal by C. A. Tallent to Planning Commission requirement for full street improvements along Sylvan Avenue frontage of Parcel 2 Drake in connection with Hyde Park Subdivision. 7:50 P.M.

ACTION: Res. 76-673 adopted (Elliott/Kullijian, maj. - Newton and Mayor Davies, no - Dunlap, absent) granting appeal.

By motion (Elliott/Kullijian, maj.) staff directed to take necessary steps to require owners of Parcel 2 Drake to construct improvements. (P/W to handle)

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

ACTION: Res. 76-674 adopted (Elliott/Siefkin, unan. - Dunlap, absent) setting June 14, 1976 at 7:45 P.M. for hearing on amendment to Sec. 5-4-9 of zoning map. (Clerk to handle)

#### ORDINANCES

24. Final adoption of the following:  
(Motion approving needed)

#### CONSENT

- (a) Ordinance No. 1519-C.S. - handicapped parking.

ACTION: By motion, Ord. No. 1519-C.S. adopted. (Clerk to handle)

- (b) Ordinance No. 1521-C.S. - dog license fees.

ACTION: By motion (Mensinger/Elliott, unan. - Dunlap, absent) Ord. No. 1521-C.S. amended to provide for \$2.00 license fee for altered dogs. (Clerk to handle)

By motion (Mensinger/Elliott, unan. - Dunlap, absent) Ord. No. 1524-C.S. adopted (as emergency ordinance) repealing Ord. No. 1520-C.S. and fixing dog license fees at \$8.00 for unspayed or unneutered dogs and \$2.00 for spayed or neutered dogs. (Clerk to handle)

It was agreed that there would be further study of this matter.

#### NEW BUSINESS

25. Consideration of Downtown Plan.  
(Discussion of Downtown Plan items on the DID (agenda numbers 23-27 on attached sheet). Motion accepting recommendations needed).

ACTION: By motion (Elliott/Newton, unan.) staff recommendation re Item 23 approved.

By motion (Siefkin/Newton, unan.) staff recommendation re Item 24 approved.

By motion (Newton/Siefkin, unan.) staff recommendation re Item 26 approved.

By motion (Newton/Elliott, unan.) it was agreed that the D.I.D. Advisory Board should have the duty to recommend to Council on whether staff should be full-time or part-time and that Council would give recommendation all possible consideration.

#### CONSENT

26. Consider request for sewer service to property at 428 Spruce, located on the north side of Spruce west of Franklin.  
(Owners Edwin R. Kolkow and Sophia V. Kolkow have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a sewer line exists to serve it. Resolution approving agreement needed)

ACTION: Res. 76-675 adopted approving agreement. (P/W to handle)

CONSENT

27. Consider acceptance of improvements in Havenbrook Park No. 2 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.  
(This subdivision is located along the south side of Briggsmore Avenue east of Sonoma Avenue. Resolution accepting improvements needed)

ACTION: Res. 76-676 adopted accepting improvements. (Clerk to handle)

CONSENT

28. Consider acceptance of improvements in Woodglen Park No. 1 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.  
(This subdivision is located on the west side of Dale Road north of the Hahn development. All improvements have been completed to the satisfaction of the Director of Public Works and all fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 76-677 adopted accepting improvements. (Clerk to handle)

CONSENT

29. 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 \$28,937.28 for expenditures by the City on community recreation for the fiscal year 1975-76. This is an increase of \$3,206.07 from last year's allocation. Resolution approving agreement needed)

ACTION: Res. 76-678 adopted approving agreement. (Clerk to handle)

30. Proposed agreement with Modesto High School District for air conditioning Modesto High School auditorium.  
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 76-679 adopted (Newton/Elliott, maj. - Mayor Davies, no - Dunlap, absent) approving agreement. (Clerk to handle)

Res. 76-679-A adopted (Newton/Elliott, maj. - Mayor Davies, no - Dunlap, absent) approving appropriation transfer of \$38,667 from Account No. 60-800-321 to Account No. 6428-31-321). (Finance to handle)

CONSENT

31. Consider request for sewer service to property at 425 Briggs Avenue, located on the north side of Briggs Avenue, west of Franklin.  
(Property owners Edwin J. Kangas and Anne E. Kangas have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and sewer is available. Resolution approving agreement needed)

ACTION: Res. 76-680 adopted approving agreement. (P/W to handle)

CONSENT

32. Consider approval of final map of Persian Terrace 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.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the north side of Floyd Avenue east of Rose Avenue. It contains 16.829 acres. Resolution approving final map needed)

ACTION: Res. 76-681 adopted approving final map. (Clerk to handle)

CONSENT

33. Consider approval of final map of the Capistrano Park No. 3 Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located north of Yosemite Blvd, east of Riverside Drive. Resolution approving final map needed)

ACTION: Res. 76-682 adopted approving final map. (Clerk to handle)

CONSENT

34. Consider adoption of a resolution honoring Mr. Robert P. Berthold, Chief Flight Instructor for Hawke Flying Services at the Modesto City-County Airport/Harry Sham Field, on his receipt of Flight Instructor of the Year Award.  
(The Federal Aviation Administration is honoring Mr. Berthold as Flight Instructor of the Year. Resolution needed)

ACTION: Res. 76-683 adopted commending Robert P. Berthold. (P/W to handle)

CONSENT

35. Authorize the State to proceed with the City-County-State project to modify the Yosemite and El Vista/Mitchell traffic signals to provide an all red interval.  
(Memo with agenda. \$1,000 for this project is requested in the 1976-77 budget. The State is concerned that their funds will be shifted elsewhere so they request a letter of intent indicating the City's approval now. Motion authorizing the State to proceed with the project with the understanding that the City's share is to be paid in 1976-77 budget. Estimated cost \$750)

ACTION: By motion, State authorized to proceed. (P & T to handle)

CONSENT

36. Amended Local Transportation Claim.  
(Memo with agenda. Resolution approving amended claim needed)

ACTION: Res. 76-684 adopted approving amended claim. (Finance to handle)

37. Approval of Revenue Sharing Planned Use Report. Entitlement 7, for the period of July 1, 1976 through December 31, 1976.  
(Memo with agenda. Resolution approving report needed)

ACTION: Res. 76-685 adopted (Siefkin/Elliott, unan. - Kullijian, no - Dunlap, absent) approving report. (Finance to handle)

CONSENT

38. Resolution authorizing City Manager to sign grant application for funds available through the Federal Highways Administration for the cost of rights of way acquisition and construction of bike lanes.  
(Memo with agenda. Resolution authorizing City Manager to sign application needed)

ACTION: Res. 76-686 adopted authorizing City Manager to sign grant application. (C/Mgr to handle)

## REPORTS

39. Report from Planning and Community Development Department "Community Attitudes" Regarding Governmental Services, Community Appearance, Housing and Neighborhood Characteristics, Shopping, Bus Service, Transportation Alternatives.  
(Motion acknowledging receipt of report needed)

ACTION: By motion (Elliott/Kullijian, unan.) receipt of report acknowledged.

## APPROPRIATION TRANSFERS

### CONSENT

40. Resolution amending 1975-76 final budget to transfer \$13,640 uncommitted interest earning from Revenue Sharing Fund to the Special Fund for Capital Outlays for the purchase of Dry Creek Park land.  
(Regulations governing payment of entitlements and interest earnings prescribe that "a recipient government shall use, obligate or appropriate such funds within 24 months from the end of the entitlement period." This interest was earned on Entitlements 3 and 4 and must be appropriated prior to June 30, 1976. Memo with agenda. Resolution authorizing amendment of 1975-76 final budget needed)

ACTION: Res. 76-687 adopted authorizing amendment of 1975-76 budget.  
(Finance to handle)

### CONSENT

41. Request for appropriation transfer.  
(On May 3, 1976, the City Council authorized the appraisal of the Lincoln School site. \$1,250 is needed to cover the cost of this new appraisal. Resolution approving appropriation transfer needed.)

ACTION: Res. 76-688 adopted approving appropriation transfer of \$1,250 from Account 61-800-321 to Account 6406-310-321). (Finance to handle)

## MISCELLANEOUS

42. Legislation.

ACTION: By motion (Kullijian/Mensing, unan.) AB 3275 opposed.  
By motion (Siefkin/Elliott, unan.) AB 3810 opposed.  
By motion (Kullijian/Newton, unan.) AB 4249 opposed.  
(C/Mgr to handle)

43. Appointments.

NONE

44. Matters too late for the agenda.

ACTION: By motion (Kullijian/Siefkin, unan.) City Attorney authorized to appear on behalf of Modesto as amicus in International Association of Fire Fighters vs City of Pleasanton.

By motion (Mensing/Newton, unan.) City Attorney authorized to appear on behalf of Modesto as amicus in Eldridge vs City of Palo Alto. (C/Atty to handle)

Res. 76-689 adopted (Elliott/Siefkin, unan. - Dunlap, absent) withdrawing and rescinding award of contract to J. B. McGinnis for installation of Woodland Ave. waterline and awarding contract to Joe Martin. (P/W to handle)

45. The Council retired to executive session at 11:15 P.M. and returned to open meeting at 11:25 P.M.

ACTION: Res. 76-690 adopted (Kullijian/Siefkin, unan. - Dunlap and Newton, absent) approving Memo of Understanding with Modesto Employees' Association. (C/Mgr to handle)

Adjournment at 11:30 P.M. to 4:00 P.M. on May 25, 1976.

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

Modesto City Council  
Adjourned Regular Meeting  
May 25, 1976

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, to further consider the preliminary budget for 1976-77.

Present: Councilmembers: Elliott, Kullijian, Mensinger, Newton,  
Siefkin, Mayor Davies  
Absent: Councilmembers: Dunlap  
(Councilmember Newton arrived at 4:20 P.M.)

The following budgets were considered:

PUBLIC WORKS - ENGINEERING & ADMINISTRATION - 410 (P. 112, 113, 115)  
PUBLIC WORKS - BUILDING INSPECTION - 420 (P. 116, 117, 119)  
PUBLIC WORKS - ELECTRICAL - 430 (P. 120, 121, 123, 124)  
PUBLIC WORKS - WATER - 500 (P. 126, 127, 129, 130)  
PUBLIC WORKS - STREETS - 510 (P. 132, 133, 135)  
PUBLIC WORKS - SEWERS - 520 (P. 136, 137, 139, 140)  
PUBLIC WORKS - WATER QUALITY CONTROL - 530 (P. 142, 143, 145, 146)  
PUBLIC WORKS - GARDEN REFUSE - 540 (P. 148, 149)  
PUBLIC WORKS - CITY HALL - 550 (P. 150, 150A, 151)  
PUBLIC WORKS - AIRPORT - 460 (Fund 230) (P. 184, 184A, 185, 186)  
PUBLIC WORKS - SERVICE DIVISION - 480 (Fund 512) (P. 192, 193, 194, 195, 196)  
PARKING & TRAFFIC - 560 - (P. 152, 153, 155, 156)  
PARKING & TRAFFIC - OFFICE SERVICES - 580 (P. 158, 159)  
PARKING & TRAFFIC - PARKING FUND 209 - 570 (P. 168, 169, 171, 172)  
PARKING & TRAFFIC - BUS SERVICE FUND - 350 (P. 188, 189)  
(The League of Women Voters recommended that the City hire a full time Transportation Director)  
BOND REDEMPTION & INTEREST REQUIREMENTS (P. 190, 191)  
MUSIC & PROMOTION - 610 (P. 160, 161)  
INSURANCE & RETIREMENT - 640 (p. 162, 163)  
MISCELLANEOUS UNCLASSIFIED - 650 - (P. 164, 165)  
DOWNTOWN IMPROVEMENT DISTRICT - Fund 218 (P. 172b, 173)  
COMPREHENSIVE EMPLOYMENT TRAINING - TITLE II - 20 (Fund 219) (P. 174, 175)  
COMPREHENSIVE EMPLOYMENT TRAINING - TITLE VI - 60 (Fund 219) (P. 176)

Adjournment at 5:50 P.M. to 4:00 P.M. on May 27, 1976.

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

Modesto City Council  
Adjourned Regular Meeting  
May 27, 1976

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,  
Siefkin, Mayor Davies  
Absent: Councilmembers: Newton

The Director of Public Works explained various projects which the staff was considering for submission for funding in connection with the Overall Economic Development Program for Stanislaus County. In connection with the application for funding for the Dryden Trunk Sewer, the Director requested adoption of a resolution concerning an air quality maintenance plan.

Res. 76-691 adopted (Dunlap/Kullijian, unan. - Newton, absent) agreeing to participation by the City of Modesto in Phase II of the Stanislaus County Air Quality Maintenance Plan.

The Council then began study of the C.I.P. The following recommendations of the Planning Commission were considered:

MANAGEMENT SERVICES/ANALYSIS (P. 1)

FINANCE - (P. 2)

PLANNING/COMMUNITY DEVELOPMENT - (P. 3)

FIRE - (P. 4)

POLICE DEPARTMENT - (P. 5)

CITY HALL - (P. 6)

PUBLIC WORKS/ENGINEERING - (P. 7)

PARKS & RECREATION - (P. 8)

The meeting was adjourned at 5:30 P.M. to 4:00 P.M. on June 1, 1976.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

Modesto City Council  
Adjourned Regular Meeting  
June 1, 1976

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,  
Siefkin, Mayor Davies  
Absent: Councilmembers: Newton

The Council continued their study of the C.I.P. and considered the following Planning Commission recommendations:

PARKS & RECREATION - (P. 9)

Councilmember Siefkin presented a statement concerning the relationship of the cost of providing city services to the present land use patterns. Other members of the Council indicated their agreement that there should be more multi-family development. It was pointed out that financing was an important factor in determining the types of development which occur.

PARKS & RECREATION - (P. 10)

Councilmember Kullijian stated that he would like a consensus of the Council as to having a portion of future Revenue Sharing Funds earmarked for a Full Service Center for Senior Citizens. No decision was reached on this.

PARKS & RECREATION - (P. 11)

The Modesto Youth Soccer Association requested financial assistance from the City.

By motion (Elliott/Dunlap, unan.) \$1,932 was included in the Parks & Recreation budget for this purpose.

PUBLIC WORKS - AIRPORT - (P. 12)

PUBLIC WORKS - SERVICE - (P. 13)

PUBLIC WORKS - WATER - (P. 14, 15)

PUBLIC WORKS - STREETS - (P. 16, 17, 18)

PUBLIC WORKS - WASTE WATER TREATMENT - (P. 19)

PUBLIC WORKS - STORM DRAINAGE - (P. 20)

PUBLIC WORKS - STREET LIGHTING - (P. 21)

PUBLIC WORKS - GARDEN REFUSE - (P. 22)

PARKING & TRAFFIC - (P. 23, 24)

DOWNTOWN IMPROVEMENT DISTRICT - (P. 25)

The City Manager suggested that the Council meet at 4:00 P.M. on June 8, 1976 to consider a report on the Downtown Plan.

Adjournment at 5:40 P.M.

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

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 7, 1976 AT 4:00 P.M.

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

Absent: None

(Councilmember Newton arrived at 4:07 P.M.)

Pledge of allegiance to the Flag.

Invocation by Reverend Larry Duncan, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 8, 10,  
Items 9 and 11 removed from consent 12, 13, 14, 15, 16, 17, 18, 19,  
Dunlap/Kullijian, unan. - Newton, absent 20, 21, 22, 25, 27, 28, 29, 30,  
31, 32, 33, 34, 35, 36, 37, 38,  
39, 40, 42, 43, 44, 45, 46, 47,  
48, 49, 50, 51, 52, 53, 54, 55(a)

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of May 20, 24, 25, 27 and June 1, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of D.I.D. for closure of 11th St. from I to J and from J to the Vintage Restaurant on June 12 and 13 for an Arts and Crafts Festival.  
(Resolution needed)

ACTION: Res. 76-692 adopted granting request. (Clerk to handle)

CONSENT

3. Appeal by Bruce and Bonnie Emerson to decision by Director of Public Works regarding planter boxes on city planting strip at 3804 Beyer Park Drive.  
(Resolution setting June 21, 1976 at 4:00 P.M. for hearing needed)

ACTION: Res. 76-693 adopted setting hearing. (Clerk to handle)

CONSENT

4. Appeal on behalf of James and Marilyn Moore to Planning Commission denial of request for rezoning from R-1 to C-1, property located at the southeast corner of Sutter Ave. and Western Way.  
(Resolution setting June 28, 1976 at 7:30 P.M. for hearing needed)

ACTION: Res. 76-694 adopted setting hearing. (Clerk to handle)

CONSENT

5. Resignation of Leon Zimmerman from Human Rights Commission and Rehabilitation Loan Pool Subcommittee of the Citizens Housing and Community Development Committee.  
(Resolution accepting with regret needed)

ACTION: Res. 76-695 adopted accepting with regret. (Clerk to handle)

CONSENT

6. Request by Mike and Rose Rossini for abandonment of alley leading into McHenry 307 feet from southeast corner of Robinhood Drive and McHenry.  
(Resolution referring to Planning Commission needed)

ACTION: Res. 1330-S.P. adopted referring to Planning Commission.  
(Planning to handle)

7. Discussion by Ed Wilbourne III concerning Building Inspection Department.  
(Memo with agenda)

ACTION: By motion (Siefkin/Dunlap, unan.) request to allow undersize bedroom window in home at 1116 Sonoma denied.

CONSENT

8. Consider approval of specifications and authorize call for bids to be opened June 22, 1976 at 2:00 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 1976-77 fiscal year. Resolution authorizing call for bids needed. Estimated cost \$46,000. Funds are budgeted)

ACTION: Res. 76-696 adopted approving specifications and bid call.  
(Clerk to handle)

9. Consider approval of specifications and authorize call for bids to be opened June 22, 1976 at 2:30 P.M. for furnishing annual dry cell battery requirements.  
(Annual requirement. This is a co-operative venture and includes the needs of Modesto City Schools, City of Modesto, Stanislaus County, and Yosemite Jr. College District, representing \$5,000 list price value. Batteries purchased intermittently throughout 1976-77 fiscal year. Resolution authorizing call for bids needed. Estimated cost to City, \$1,500. Funds are budgeted)

ACTION: Res. 76-697 adopted (Elliott/Kullijian, unan. - Siefkin, absent) approving specifications and bid call. (Clerk to handle)

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

CONSENT

10. Consider approval of specifications and authorize call for bids to be opened June 22, 1976 at 2:45 P.M. for furnishing annual requirements of liquid chlorine.  
(Annual requirement. Chlorine gas is used in treating industrial and residential sewage. Chlorine to be purchased intermittently throughout the year. Resolution authorizing call for bids needed. Estimated cost \$168,202.50. Funds are budgeted)

ACTION: Res. 76-698 adopted approving specifications and bid call.  
(Clerk to handle)

11. Consider approval of specifications and authorize call for bids to be opened June 22, 1976 at 2:15 P.M. for furnishing annual lamp requirements.

(Annual requirement: This is a co-operative venture and includes the needs of Modesto City Schools, City of Modesto, Stanislaus County, and Yosemite Jr. College District, representing \$56,026 list price value. Lamps purchased intermittently throughout the 1976-77 fiscal year. Resolution authorizing call for bids needed. Estimated cost to City, \$12,800. Funds are budgeted)

ACTION: Res. 76-699 adopted (Elliott/Kullijian, unan. - Siefkin, absent) approving specifications and bid call. (Clerk to handle)

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

**CONSENT**

12. Consider approval of plans and specifications and call for bids to remodel building No. 1 and air condition building Nos. 1, 2, and 3 at the City Service Yard (Block 434).

(Bid opening June 22, 1976 at 11:15 A.M. This project will add an office for the future Water Superintendent in Building No. 1 and will air condition existing offices in buildings Nos. 1, 2, and 3. Resolution approving plans, specifications and bid call needed. Estimated cost \$16,800 (\$15,800 Const.; \$1,000 Engr. & City Forces). Funds are budgeted)

ACTION: Res. 76-700 adopted approving plans, specifications and bid call. (Clerk to handle)

**CONSENT**

13. Consider approval of plans and specifications and call for bids for construction of bicycle bridge across M.I.D. Lateral No. 4 at Magnolia Avenue and authorize City Manager to sign agreement with M.I.D. for right of way use.

(Suggested bid opening date June 22, 1976 at 11:00 A.M. This project will provide bicycle and pedestrian access across Lateral No. 4 at Magnolia. Resolution approving bid call needed; resolution approving agreement with M.I.D. needed. Estimated cost \$7,000. Funds are partially budgeted (\$3,000). Appropriation transfer will be presented when bids are opened and costs involved determined).

ACTION: Res. 76-701 adopted approving plans, specifications and bid call. (Clerk to handle)

Res. 76-701A adopted approving agreement. (Clerk to handle)

**CONSENT**

14. Consider approval of plans and specifications and call for bids for construction of waterlines in Persian Terrace No. 1.

Suggested bid opening June 22, 1976 at 11:10 A.M. Costs and Revenue: Construction, \$34,653.50; connection charges, \$17,380; net revenue, \$1,375. Funds are budgeted. Estimated cost \$34,653.50. (\$21,953.50, Const.; \$12,700 Engr. & Matls.) Resolution needed)

ACTION: Res. 76-702 adopted approving plans, specifications and bid call. (Clerk to handle)

**CONSENT**

15. Consider award of contract for construction of waterlines in Hatch Road and Dallas Street from Crows Landing Road to Glen Avenue. (Bids were opened May 25, 1976. The low bid of \$41,290 submitted by Western Pipeline Co., Inc., is 11% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$41,290. Funds are budgeted)

**ACTION:** Res. 76-703 adopted approving plans, specifications and bid call. (Clerk to handle)

**CONSENT**

16. Consider award of contract for construction of irrigation systems and planting at Coleman F. Brown Park and Chrysler Park. (Bids were opened May 25, 1976. The low bid submitted by Mark S. Grover Landscaping, which is 7.6% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$93,757. Funds are budgeted)

**ACTION:** Res. 76-704 adopted awarding contract to Mark S. Grover Landscaping. (P/W to handle)

**CONSENT**

17. Consider award of contract for Project No. 6 - replacement of curbs and drive approaches on Sunrise Avenue and alley approaches on East Morris Avenue. (Bids were opened May 25, 1976. The low bid of \$12,000 submitted by George Reed, Inc., which is 11% below the Engineer's Estimate is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$12,000. Funds are budgeted)

**ACTION:** Res. 76-705 adopted awarding contract to George Reed, Inc. (P/W to handle)

**CONSENT**

18. Consider award of contract for Chrysler Park Sewer Extension. (Bids were opened May 18, 1976. The low bid of \$10,925 submitted by Mac's Backhoe Service which is 13% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$10,925. Funds are budgeted)

**ACTION:** Res. 76-706 adopted awarding contract to Mac's Backhoe Service. (P/W to handle)

**CONSENT**

19. Consider award of contract for furnishing and installing playground equipment for Woodrow and Davis Parks. (Bids were opened June 1, 1976. The low bid of \$30,857 submitted by C. Dwaine Carver which is 29% below the Engineer's Estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$30,857. Funds are budgeted)

**ACTION:** Res. 76-707 adopted awarding contract to C. Dwaine Carver. (P/W to handle)

CONSENT

20. Consider award of contract for assembly and installation of equipment at Rose Avenue Park.  
(Bids were opened June 1, 1976. The low bid of \$3,458 submitted by C. Dwaine Carver was 54% under the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$3,458. Funds are budgeted)

ACTION: Res. 76-708 adopted awarding contract to C. Dwaine Carver.  
(P/W to handle)

CONSENT

21. Consider award of contract for construction of Police Parking Lot addition and approve appropriation transfer.  
(Bids were opened May 25, 1976. The low bid of \$18,891 submitted by Matteson Construction Company was 22% over the Engineer's Estimate. A review of the bid with the low bidder indicates that the Estimate did not provide a proper allowance for each of the items involved in this project. A delay or rebid of the project would result in increased costs. It is recommended that the appropriation transfer be approved and the contract awarded. Resolution awarding contract to Matteson Construction Co., and resolution approving appropriation transfer needed. Estimated cost \$18,891. Funds are partially budgeted (\$15,300).

ACTION: Res. 76-709 adopted awarding contract to Matteson Construction Co.  
(P/W to handle)

Res. 76-710 adopted approving appropriation transfer of \$3,800 from Account 6541-41-321 to Account 6003-22-321. (Finance to handle)

CONSENT

22. Consider approval of plans and specifications and call for bids for construction of subtrunk sewer extension in Sylvan Avenue and Rexford Avenue.  
(Suggested bid opening June 22, 1976 at 11:20 A.M. This project will provide sewer to Hyde Park and North Hampton Park No. 3 Subdivision. Resolution approving plans and specifications and bid call needed. Estimated cost \$52,575 (\$50,075, Const.; \$2,500 Engr.). Funds are budgeted)

ACTION: Res. 76-711 adopted approving plans, specifications and bid call.  
(Clerk to handle)

HEARINGS

23. Continued hearing on orders to construct sidewalk along Yosemite Blvd. at 731 and 735 Yosemite Blvd., a portion of Block 259. (Alden Steinbeck) 4:00 P.M.

ACTION: Res. 76-712 adopted (Elliott/Mensing, unan. - Kullijian, absent) ordering work done with 6 months delay. (P/W to handle)

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

24. Matters for the good of the community. 4:05 P.M.  
(These may be presented by interested persons in the audience)

ACTION: Res. 76-713 adopted (Elliott/Dunlap, unan.) granting request of Fourth of July Committee for use of Graceada and Enslin Parks for celebration on July 5, subject to all normal conditions.  
(P & R to handle)

24. Matters for the good of the community, continued.

4:05 P.M.

ACTION: By motion (Dunlap/Mensing, unan.) staff directed to take necessary steps to give Fourth of July Committee an additional \$200.00 to be used in lieu of donations from booth holders.  
(Finance to handle)

#### ORDINANCES

##### CONSENT

25. Final adoption of the following:  
(Motions adopting needed)

(a) Ord. No. 1521-C.S. as amended - dog license fees.

ACTION: By motion, Ord. No. 1521-C.S. as amended adopted.

(b) Ord. No. 1522-C.S. amending Section may 24-3-9. (Rule Development)

ACTION: By motion, Ord. No. 1522-C.S. adopted.

(c) Ord. No. 1523-C.S. amending Section map 33-3-9. (Sharar)

ACTION: By motion, Ord. No. 1523-C.S. adopted. (Clerk to handle)

#### NEW BUSINESS

##### CONSENT

27. Proposed charter amendments.  
(It is recommended that the Council set June 14, 1976 at 7:50 P.M. as the time for an informal hearing on proposed charter amendments.  
Memo with agenda. Resolution needed)

ACTION: Res. 76-714 adopted setting hearing. (Clerk to handle)

##### CONSENT

28. Consider approval of the final map of the Bloomfield 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.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located at the north end of Columbine Drive. It contains 12.451 acres. Resolution approving final map needed)

ACTION: Res. 76-715 adopted approving final map. (Clerk to handle)

##### CONSENT

29. Consider approval of final map of the Wyldewood Meadow 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.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the south side of East Orangeburg Ave., east of Lakewood Avenue. It contains 2.765 acres. Resolution approving final map needed)

ACTION: Res. 76-716 adopted approving final map. (Clerk to handle)

##### CONSENT

30. Consider approval of final map of the Lincoln Manor 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.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located south of East Orangeburg Ave., east of Marymar Ave. It contains 8.846 acres. Resolution approving final map needed)

ACTION: Res. 76-717 adopted approving final map. (Clerk to handle)

CONSENT

31. Consider approval of final map of the North Hampton Park No. 3 Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.  
(This subdivision agreement has been signed and all fees paid. The subdivision is located on the north side of Sylvan Avenue, west of Coffee Road. It contains 13.019 acres. Resolution approving final map needed)

ACTION: Res. 76-718 adopted approving final map. (Clerk to handle)

CONSENT

32. Consider approval of final map of Eastridge 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.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the north side of Scenic Drive, east of Sonoma Avenue. It contains 20.217 acres. Resolution approving final map needed).

ACTION: Res. 76-719 adopted approving final map. (Clerk to handle)

CONSENT

33. Consider approval of final map of Vintage Faire Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the north side of Veneman Avenue, east of Dale Road. It contains 16.931 acres. Resolution approving final map needed)

ACTION: Res. 76-720 adopted approving final map. (Clerk to handle)

CONSENT

34. Consider approval of final map of Hyde 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.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the north side of Sylvan Ave. west of Coffee Road. It contains 2.260 acres. Resolution approving final map needed.)

ACTION: Res. 76-721 adopted approving final map. (Clerk to handle)

CONSENT

35. Consider accepting dedicated right of way and approving agreement for City to put in curbs, curb cuts for driveway approaches, gutters and matching pavement in return for dedication of right of way. (Oakdale Road, south of Celeste Drive - Mr. and Mrs. Angelo Pierini). Resolution accepting right of way and approving agreement with property owner needed. Estimated cost \$5,000. Funds are budgeted)

ACTION: Res. 76-722 adopted accepting right of way and approving agreement. (Clerk to handle)

CONSENT

36. Consider proposal to revise subdivision map and parcel map checking and printing fees.  
(Memo with agenda. Resolution needed)

ACTION: Res. 76-723 adopted approving revised fee schedule. (P/W to handle)

CONSENT

37. Consider request for sewer service to property at 423 Briggs Ave., located on the north side of Briggs Ave., west of Franklin. (Property owners Anthony Silveria and Roxie Silveria have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and sewer is available. Resolution approving agreement needed)

ACTION: Res. 76-724 adopted approving agreement. (P/W to handle)

CONSENT

38. Consider cooperative agreement with Stanislaus County to reconstruct the Briggsmore/Rose intersection. (The agreement provides sharing of costs in proportion to actual work lying within each jurisdiction. Resolution authorizing execution of agreement needed. Estimated cost \$367,500. Funds are partially budgeted)

ACTION: Res. 76-725 adopted approving agreement. (Clerk to handle)

CONSENT

39. Consider abandonment of a public utility easement in Block 6118-A of the City of Modesto. (Memo with agenda. Resolution vacating and abandoning ten-foot public utility easement in Block 6118-A needed)

ACTION: Res. 1331-S.P. adopted vacating and abandoning public utility easement. (Clerk to handle)

CONSENT

40. Consider acceptance of a model constructed of the Modesto City-County Airport/Harry Sham Field. (A model has been constructed of the Airport by the Transportation Department of Ohlone College, Fremont, California, Mrs. Jacqueline Waide, Chairperson. The model has been presented to the City for display at the Airport. Memo with agenda. Resolution accepting model and expressing appreciation to the Transportation Department of Ohlone College needed)

ACTION: Res. 76-726 adopted accepting model with appreciation. (Clerk to handle)

41. Presentation concerning the Modesto City-County Airport/Harry Sham Field Master Plan Study currently under way. (A representative of Arnold Thompson Associates, Inc. Master Plan Consultant, will be at the City Council meeting to make an oral presentation concerning the Master Plan. See memo with agenda dated June 2, 1976. No action needed unless any Councilmember has a suggestion or comment concerning the Master Plan)

ACTION: No action by Council.

CONSENT

42. Consider terminating City-M.I.D. agreement concerning pumping of storm water at M.I.D. Lateral No. 4 and North Ninth Street. (There is no longer need to pump storm water at the location. Resolution terminating agreement and expressing appreciation for cooperation over the years needed)

ACTION: Res. 76-727 adopted terminating agreement with expression of appreciation. (Clerk to handle)

CONSENT

43. Consider terminating lease with Joseph Lorenzo for a portion of the former Dr. Anderson property on Dry Creek Park and leasing the entire Dr. Anderson property to Joseph DeAnna.  
(Memo with agenda. Resolution authorizing termination of lease and resolution authorizing new lease needed)

ACTION: Res. 76-728 adopted terminating lease with Joseph Lorenzo.

Res. 76-729 adopted approving lease with Joseph DeAnna.  
(P/W to handle)

CONSENT

44. Resolution notifying the Public Employees Retirement System of the City of Modesto's intention to terminate Social Security coverage by June 30, 1976.  
(Memo with agenda. Resolution needed)

ACTION: Res. 76-730 adopted giving notification to PERS. (Personnel to handle)

CONSENT

45. Accounting adjustments required to support direct grant and loan pool operating in the Housing and Community Development Fund.  
(Memo with agenda. Resolution amending the 1975-76 final budget and restructuring the Housing and Community Development Fund needed)

ACTION: Res. 76-731 adopted amending 1975-76 budget as recommended.  
(Finance to handle)

CONSENT

46. Consider leasing city-owned house at 626 Brighton Avenue to Andrea Stephens.  
(Memo with agenda. Resolution approving lease needed)

ACTION: Res. 76-732 adopted approving lease with Andrea Stephens.  
(P/W to handle)

CONSENT

47. Consider sale of building and appurtenant structures located at 2925 River Road to provide for the required Federal Aviation Administration clear zone at the Modesto City-County Airport.  
(Memo with agenda. Resolution calling for bids and approving specifications and notice to bidders needed. Bid opening 2:00 P.M. June 21, 1976)

ACTION: Res. 76-733 adopted approving specifications and bid call.  
(Clerk to handle)

CONSENT

48. Authorization for City Manager to execute a supplemental right of way certification and supplemental right of entry to Caltrans to improve a portion of Highway 108 (McHenry Avenue).  
(Memo with agenda. Two resolutions needed - one authorizing City Manager to execute a supplemental right of way certification and another authorizing the City Manager to execute a supplemental right of entry)

ACTION: Res. 76-734 adopted authorizing City Manager to execute supplemental right of way certification.

Res. 76-735 adopted authorizing City Manager to execute supplemental right of entry. (P/W to handle)

CONSENT

49. Request by Elwyn L. Johnson for one day's vacation on Friday, June 11, 1976.  
(Motion authorizing needed)

ACTION: By motion, vacation authorized.

REPORTS

CONSENT

50. Notice of Trailways application to increase fares and charges by 9% equal to those now allowed Greyhound.  
(Memo with agenda. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

51. Recommendation that proceedings be initiated to prezone to Industrial Zoning classification, the area bounded by Carpenter, Ninth & Kansas. (On May 18, 1976, the Planning Commission adopted Resolution 76-93 recommending to the Council that the industrial and commercial classifications on the General Plan remain for the area bounded by Carpenter Rd., No. Ninth St. and the Kansas Ave. freeway right of way, and that proceedings be initiated to prezone the County residentially zoned properties in said area to an industrial classification. Motion accepting Planning Commission recommendation of Option 1 of Kansas Ave.-Carpenter Rd., Ninth St. zoning study, and referring to Planning Commission for initiation of rezoning needed)

ACTION: By motion, Planning Commission recommendation accepted and matter referred to Planning Commission to initiate rezoning. (Planning to handle)

CONSENT

52. On May 18, 1976, the Planning Commission adopted Resolution 76-92 recommending to the Council an amendment to Section 22-3-9 to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located on the north side of Wylie Drive extending east from Muirswood Way. (Joe Wylie)  
(Resolution setting June 28, 1976 at 7:35 P.M. for hearing needed)

ACTION: Res. 76-736 adopted setting hearing. (Clerk to handle)

CONSENT

53. On May 18, 1976, the Planning Commission adopted Res. 76-88 recommending to the Council an amendment to Section 27-3-9 of the zoning map to repeal P-D(26) and rezone to R-1, property located between Dry Creek and Scenic Drive, east of Coffee Road. (Gladys Caskey)  
(Resolution setting June 28, 1976 at 7:40 P.M. for public hearing needed)

ACTION: Res. 76-737 adopted setting hearing. (Clerk to handle)

CONSENT

54. On May 18, 1976, the Planning Commission adopted Res. 76-90 recommending to the Council an amendment to Section 24-3-9 to reclassify from Low Density Residential Zeone, R-1, to Medium Density Residential Zone, R-2, property located adjacent to the northeast corner of Lake-wood and East Orangeburg. (Dorothy Bearden)  
(Resolution setting June 28, 1976 at 7:45 P.M. for public hearing needed)

ACTION: Res. 76-738 adopted setting hearing. Clerk to handle)

MISCELLANEOUS

55. Legislation

CONSENT

- (a) Request by Human Rights Commission to send letters to the Governor, Senator Berryhill, and Assemblymen Perino, Thurman and Garamendi regarding legislation requiring ratings on all foreign films.  
(Copies of proposed letter with agenda. Motion approving request needed)

ACTION: By motion, request approved. (C/Mgr to handle)

- (b) Other.

ACTION: By motion (Kullijian/Dunlap, unan.) AB 4049 supported.  
By motion (Newton/Kullijian, unan.) AB 4286 opposed.  
(C/Mgr to handle)

56. Appointments.

NONE

57. Matters too late for the agenda.

ACTION: By Order of the Chair, staff directed to study material submitted by Councilmember Siefkin concerning swimming pool safety.  
(P/W to handle)

58. The Council retired to executive session at 6:25 P.M. to discuss personnel matters. It was announced that the Council would not return to open meeting.

Adjournment at 6:25 P.M. to 4:00 P.M. on June 8, 1976.

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

Modesto City Council  
Adjourned Regular Meeting  
June 8, 1976

The Council of the City of Modesto met in Adjourned Regular Meeting at 4:00 P.M. in the Council Chambers, 801 Eleventh Street, Modesto, California.

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

Absent: Councilmembers: Newton

Representatives of the California Relays requested that their 1976-77 budget request be increased from \$4,000 to \$6,000.

ACTION: By motion (Dunlap/Elliott, unan.) request granted. (Finance to handle)

The Fourth of July Committee requested an increase in their budget request to \$1,500 from the \$1,000 previously requested.

ACTION: By motion (Kullijian/Mensinger, unan.) request granted. (Finance to handle)

The Greater Modesto Chamber of Commerce submitted a proposed budget in the amount of \$20,000 for the promotion of tourism. These funds are received from the Transient Occupancy Tax. The Chamber requested approval of the proposed budget and funding for 1976-77.

ACTION: By motion (Elliott/Kullijian, unan.) request granted. (Finance to handle)

The City Manager informed the Council that the request of Head Rest for additional funding would be presented at a later meeting.

The City Manager then presented a report on possible sources of financing for Downtown Projects.

It was agreed that there should be further staff study on a transportation center and additional parking. (Planning to handle)


By motion (Mensinger/Elliott, unan.) staff directed to pursue program for alley improvement in downtown area. (Planning to handle)

The proposed park on 11th Street between H and I Streets was then discussed.

By motion (Siefkin/Mensinger, unan.) staff was directed to make a further study of this matter and to contact the D.I.D. and the County as to financing and to include in the study the loss of parking and the traffic patterns that could result if this park was developed. (Planning to handle)

The meeting was adjourned at 5:30 P.M.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 14, 1976 AT 7:30 P.M.

Roll call Present: Dunlap, Kullijian, Mensinger, Newton, Siefkin,  
Vice Mayor Elliott

Absent: Mayor Davies  
(Vice Mayor Elliott presided)

Pledge of allegiance to the Flag.

Invocation by Reverend O. D. Johnson, First Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 5, 6, 7, 8, 9, 10,  
Dunlap/Kullijian, unan. - Davies, absent 11, 18, 20, 21, 22, 23, 24, 25,  
26, 27, 28, 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of June 7 and 8, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

2. Proposal by Modesto Bee for City of Modesto advertisement in Bicentennial Edition of Bee to be published July 2, 1976.

ACTION: By motion (Kullijian/Dunlap, unan.) proposal approved. (C/Mgr to handle)

CONSENT

3. Request of The Salvation Army for permission to conduct Sunday evening park services in West Side Park from June 27 through August 29, 1976.  
(Motion approving needed)

ACTION: By motion, request approved. (P & R to handle)

4. Request of Mildred W. Richmond, 134 Magnolia Avenue, that Council permit a fence to remain within the public right of way at its full height until improvements are constructed along Alice Street frontage or ownership changes, whichever occurs first.  
(Memo with agenda)

ACTION: By motion (Kullijian/Dunlap, unan.) staff directed to take no action at this time but to prepare report on the entire encroachment permit situation. (P/W to handle)

CONSENT

5. Request of King-Kennedy Board of Directors for permission to have amplified music in Mellis Park on June 19, 1976 for annual June Teen Festival.  
(Motion granting request subject to conditions approved by Council on May 12, 1975 needed)

ACTION: By motion, request granted subject to conditions. (P & R to handle)

## BIDS

### CONSENT

6. Approve plans and specifications and call for bids for asphalt concrete resurfacing various city streets, 1976-77.  
(Bid opening June 29, 1976 at 11:00 A.M. This is our yearly program for street Overlays, both select and residential streets. Memo with agenda. Resolution approving bid call needed. Estimated cost \$139,840 (Contr. \$128,884; Engr. \$10,956). Funds are budgeted)

ACTION: Res. 76-739 adopted approving plans, specifications and bid call.  
(Clerk to handle)

### CONSENT

7. Consider approval of plans and specifications and call for bids for construction of Pump Station No. 42.  
(Suggested bid opening June 29, 1976 at 11:10 A.M. This project will supply water to the Vintage Faire Shopping Center. Resolution approving bid call needed. Estimated cost \$67,000 (\$61,000 Const.; \$6,000 Engr. & Contgy.) Funds are partially budgeted. Appropriation transfer will be requested for balance of funds needed after bids are opened)

ACTION: Res. 76-740 adopted approving plans, specifications and bid call.  
(Clerk to handle)

### CONSENT

8. Consider allowing the apparent low bidder, Tri County Builder, to withdraw their bid and award the contract to William Mineni for construction of utility building at Coleman F. Brown Park.  
(Memo with agenda. Resolutions needed: (1) Resolution allowing Tri County Builder to withdraw its bid; (2) Resolution awarding contract to William Mineni. Estimated cost \$44,000. Funds are budgeted)

ACTION: Res. 76-741 adopted consenting to withdrawal of Tri County Builders bid and awarding contract to William Mineni. (P/W to handle)

### CONSENT

9. Consider award of contract for McClure House repainting and reroofing.  
(Bids were opened June 8, 1976. The low bid submitted by William Mineni, which was 3% over the Engineer's estimate, is considered acceptable. It is recommended that the contract be awarded to him. Estimated cost \$12,383. Funds are budgeted)

ACTION: Res. 76-742 adopted awarding contract to William Mineni.  
(P/W to handle)

### CONSENT

10. Consider declaring Acme Printing the lowest responsible bidder and authorizing the purchase of code printing for \$20.82 per page. Printing to be purchased intermittently throughout the 1976-77 fiscal year.  
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted)

ACTION: Res. 76-743 adopted awarding contract to Acme Printing. (Finance to handle)

CONSENT

11. Consider rejection of bid submitted by Putnam Sand & Gravel for furnishing annual requirements of ready-mixed concrete. Consider approval of specifications and authorize new call for bids to be opened June 29, 1976 at 2:00 P.M. for furnishing annual requirements of ready-mixed concrete.  
(Memo with agenda. Resolution rejecting bid by Putnam Sand and Gravel and resolution authorizing bid call needed. Funds are budgeted. Estimated cost \$7,400).

ACTION: Res. 76-744 adopted rejecting bid of Putnam Sand & Gravel.  
(Finance to handle)

Res. 76-745 adopted authorizing new call for bids. (Clerk to handle)

HEARINGS

13. Hearing on 1976-77 preliminary budget. 7:35 P.M.

ACTION: No action needed at this time.

14. Hearing on amendment to Section 10-3-9 of zoning map to rezone from R-1 to R-2 and P-0, property located east of Coffee and north of Sylvan. 7:40 P.M.

ACTION: Ord. No. 1525-C.S. introduced (Dunlap/Kullijian, unan. - Mayor Davies, absent) rezoning subject area. (Clerk to handle)

Res. 76-746 adopted (Dunlap/Kullijian, unan. - Mayor Davies, absent) directing Director of Planning and Community Development to file Notice re EIR. (Planning to handle)

15. Hearing on amendment to Section 5-4-9 of zoning map to rezone from M-1 to M-2, property located on the west side of Crows Landing Road, northeast of Freeway 99. (Randall K. Anderson) 7:45 P.M.

ACTION: Ord. No. 1526-C.S. introduced (Newton/Siefkin, unan. - Mayor Davies, absent) rezoning subject area. (Clerk to handle)

Res. 76-747 adopted (Newton/Siefkin, unan. - Mayor Davies, absent) directing Director of Planning and Community Development to file Notice re EIR. (Planning to handle)

16. Informal hearing concerning amendments to Modesto City Charter. 7:50 P.M.

ACTION: By motion (Dunlap/Kullijian, unan.) staff directed to prepare wording for ballot measures to provide: (1) for election of member of Board of Education if vacancy occurs more than 130 days before the normal March election in odd numbered years; (2) payment for members of the Board of Education per current State Code; (3) no provision for removal of Board of Education from Charter to be on the ballot.

By motion (Dunlap/Kullijian, maj. - Newton, no) staff directed to prepare wording for ballot measure to provide for election at large for specific chairs.

By motion (Newton/Siefkin, maj. - Dunlap and Elliott, no) staff directed to prepare wording for ballot measure to provide for 7 member Board.

16. Informal hearing concerning amendments to Modesto City Charter, continued. 7:50 P.M.

ACTION: By motion (Dunlap/Kullijian, unan.) staff directed to prepare wording for ballot measures for minor changes in Charter pertaining to City matters. (C/Atty to handle)

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

ACTION: Mr. and Mrs. Pittman requested Council help concerning an alleged illegal business across the street from 1910 Monte Verde. It was pointed out that this alleged violation was set for a jury trial on August 18 and therefore the Council should not engage in a discussion of this matter.

#### ORDINANCES

##### CONSENT

18. Consider change in sign regulations to provide for establishing sign permit fees by Council resolution.  
(Memo with agenda. Introduction of ordinance needed)

ACTION: By motion, Ord. No. 1527-C.S. introduced. (Clerk to handle)

#### UNFINISHED BUSINESS

19. Further discussion concerning request by residents of Revard Park area for reconsideration of extension of Bodega Lane.

ACTION: By motion (Dunlap/Siefkin, maj. - Elliott, no) previous action calling for connection of Bodega Lane with Tokay reaffirmed.  
(P/W to handle)

#### NEW BUSINESS

##### CONSENT

20. Resolution withdrawing Sylvan No. 2 Addition from the Riverbank Fire District.  
(This Addition was annexed to the City effective June 3, 1976.  
Resolution withdrawing from fire district needed)

ACTION: Res. 76-748 adopted withdrawing Sylvan No. 2 Addition from Riverbank Fire District. (Clerk to handle)

##### CONSENT

21. Resolution determining that the public interest and convenience require that Sylvan No. 2 Addition be annexed to the Modesto Municipal Sewer District No. 1.  
(This addition was annexed to the City effective June 3, 1976.  
Resolution setting August 2, 1976 at 4:00 P.M. for public hearing needed. (two-thirds affirmative vote required). Funds are budgeted)

ACTION: Res. 76-749 adopted setting hearing. (Clerk to handle)

##### CONSENT

22. Revised HUD 701 grant application.  
(Memo with agenda. Resolution authorizing revised final application needed. Estimated cost: Federal, \$20,000; Local, \$10,000; Total, \$30,000)

ACTION: Res. 76-750 adopted authorizing revised final application.  
(Planning to handle)

CONSENT

23. Consider abandonment of Water Pump Station B-6 and authorize sale of surplus materials in exchange for the labor, transportation and materials required to disassemble the station.  
(It is recommended Pump Station B-6 be abandoned and the surplus materials sold to Howk Well and Equipment Co. in exchange for their removing the surplus items. See memo with agenda dated June 8, 1976. Resolution authorizing sale of equipment needed)

ACTION: Res. 76-751 adopted authorizing sale to Howk Well & Equipment Co. (P/W to handle)

CONSENT

24. Consider application to SAAG for funds for bike racks.  
(Memo with agenda. Application is for \$6,000 worth of bike racks in parks. Other projects could be substituted as the 1976-77 fiscal year progresses. Resolution authorizing application needed)

ACTION: Res. 76-752 adopted authorizing application. (P & T to handle)

CONSENT

25. Consider authorizing City Manager to sign letter agreement with the Modesto Bee to print and publish the official advertising for the City of Modesto for a one-year period ending June 30, 1977. (Memo with agenda. Resolution needed. Estimated cost \$10,000. Funds are budgeted)

ACTION: Res. 76-753 adopted approving letter agreement. (Clerk to handle)

CONSENT

26. Set hearing date for meeting to discuss alternative wastewater projects to meet wastewater treatment responsibilities of the City of Modesto. Also authorize distribution of Notice to groups and individuals who may be affected or interested in a wastewater project being proposed by the City of Modesto.  
(The purpose of the meeting is to discuss the merits of alternative wastewater projects proposed to meet wastewater treatment responsibilities of the City of Modesto. The project engineer will present the technical and economic aspects of the alternatives proposed for wastewater treatment and disposal facilities. The environmental impacts related to these alternatives will be presented by the environmental consultants for the project. Resolution setting public hearing for Monday, July 12, 1976 to discuss alternative wastewater projects and motion authorizing distribution of Hearing Notice to groups and individuals needed)

ACTION: Res. 76-754 adopted setting July 12 at 7:30 P.M. for hearing.  
(Clerk to handle)

By motion, distribution of Notice authorized. (P/W to handle)

CONSENT

27. Consider 1976-77 budget for Geer Road sanitary landfill.  
(Memo with agenda. Resolution approving proposed budget needed)

ACTION: Res. 76-755 adopted approving budget. (Finance to handle)

CONSENT

28. Proposed McHenry-Sylvan No. 2 Addition.  
(A request has been received to annex property on the east side of McHenry Avenue, south of Sylvan Avenue. It is recommended that the entire McHenry Avenue frontage between Sylvan and Robinhood Drive be included in the annexation. Memo with agenda. Motion accepting recommendation needed)

ACTION: By motion, recommendation accepted. (Planning to handle)

REPORTS

29. Report prepared by our consultant, Jenks & Adamson, on alternatives for completing the West Trunk Sewer to meet wastewater collection needs of the City of Modesto.  
(Report is being presented at this time as information. Within the next 30 to 60 days the staff will be reporting to the Council as to actions recommended by the staff on the West Trunk Sewer. Motion acknowledging receipt of report needed)

ACTION: By motion (Dunlap/Newton, unan.) receipt of report acknowledged.

CONSENT

30. Presentation of financial statement for May 1976.  
(Copies of report with agenda. Resolution accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

31. On June 1, 1976, the Planning Commission adopted Resolution 76-97 recommending to the Council an amendment to Section 25-3-9 to prezone to P-O and P-D, to permit construction of a neighborhood shopping center, property located at the northeast corner of Lincoln Avenue and Yosemite Boulevard. (Estate of George Kounias)  
(Resolution setting July 6, 1976 at 4:05 P.M. for hearing needed)

ACTION: Res. 76-756 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

32. Legislation.

ACTION: By motion (Dunlap/Kullijian, unan.) SB 1716 opposed. (C/Mgr to handle)

33. Appointments.

NONE

34. Matters too late for the agenda.

NONE

35. Executive session to discuss personnel matters.

NONE

Adjournment at 9:45 P.M. to 4:00 P.M. on June 17, 1976.

ATTEST: W. T. Chymoweth  
W. T. CHYMOVETH, City Clerk  
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Modesto City Council  
Adjourned Regular Meeting  
June 17, 1976

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,  
Siefkin, Mayor Davies

Absent: Councilmembers: Newton

By motion (Mensinger/Siefkin, maj. - Kullijian and Mayor Davies, no) Head Rest granted up to a maximum of \$10,000 in addition to the \$10,000 previously budgeted for 1976-77 fiscal year. (Finance to handle)

Adjournment at 4:50 P.M.

ATTEST:



W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 21, 1976 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,  
Mayor Davies  
Absent: Siefkin  
(Councilmember Newton arrived at 4:10 P.M.)

Pledge of allegiance to the Flag.  
Invocation by Reverend Howard Clarke, Second Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 6, 7, 9, 10, 11,  
Items 8, 24(1) and 25 dropped 12, 16, 19, 20, 21, 22, 23, 24,  
Kullijian/Mensinger, unan. - Newton 26, 27, 29  
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)

PRESENTATION

1. Donation by Modesto Garden Club of \$1,000 toward restoration of McHenry Mansion.  
(Resolution accepting with appreciation needed)

ACTION: (Mrs. Damrell presented the check to Mayor Davies who expressed the thanks of the City for the gift.)

Res. 76-757 adopted (Kullijian/Dunlap, unan. - Siefkin, absent) accepting gift with appreciation. (Clerk to handle)

APPROVAL OF MINUTES

CONSENT

2. Minutes of June 14, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

3. Appeal by William Loretelli to action of Board of Zoning Adjustment in requiring a 10:00 P.M. closing time for commercial development at southwest corner of McHenry and Leveland.  
(Resolution setting July 12, 1976 at 7:35 P.M. for hearing needed)

ACTION: Res. 76-758 adopted setting hearing. (Clerk to handle)

CONSENT

4. Appeal to Planning Commission denial of request for rezoning from R-1 to P-D, property located on Union Avenue east of McHenry. (Towery)  
(Resolution setting July 12, 1976 at 7:40 P.M. for hearing needed)

ACTION: Res. 76-759 adopted setting hearing. (Clerk to handle)

5. Request of California Relays for an additional \$2,000 for the 1975-76 fiscal year.  
(Memo with agenda)

ACTION: By motion (Dunlap/Kullijian, unan.) request approved.

Res. 76-760 adopted (Dunlap/Mensing, unan. - Siefkin, absent) approving appropriation transfer of \$2,000 from Account No. 60-800-101 to Account No. 443-610-101 for this purpose. (Finance to handle)

#### BIDS

##### CONSENT

6. Consider awarding contract for traffic line paint to Pervo Paint Company, Los Angeles, California.  
(Purchases to be made intermittently throughout the 1976-77 fiscal year. Memo with agenda. Resolution awarding to Pervo Paint needed. Estimated cost \$20,000. Funds are budgeted)

ACTION: Res. 76-761 adopted awarding contract to Pervo Paint Co. (Finance to handle)

##### CONSENT

7. Consider awards to M. J. Ruddy & Son and the Flintkote Company for furnishing annual requirements of rock, sand, and gravel.  
(Purchases to be made intermittently throughout the 1976-77 fiscal year. Memo with agenda. Resolution awarding Items 1, 2, 4, 5, and 7 to M. J. Ruddy. Resolution awarding Items 3 and 6 to the Flintkote Company. Estimated cost \$21,900. Funds are budgeted)

ACTION: Res. 76-762 adopted awarding contract for Items 1, 2, 4, 5, and 7 to M. J. Ruddy & Son.

Res. 76-763 adopted awarding contract for Items 3 and 6 to The Flintkote Co. (Finance to handle)

8. Approve plans and specifications and call for bids for construction of Standiford Avenue from Dale Road to M.I.D. Lateral No. 7.  
(Bid opening July 6, 1976 at 11:00 A.M. This project is the realignment of Standiford-Veneman Road from M.I.D. Lateral No. 7 to Dale Road. It is currently proposed as two lanes. It will ultimately be a four lane road which will serve the Vintage Faire Shopping Center. This will be a joint City-County project. Resolution approving bid call needed. Estimated cost \$328,000 (Contract \$299,000; Engr. & Cont. \$29,000. Funds budgeted in 1976-77 C.I.P.)

DROPPED FROM AGENDA

##### CONSENT

9. Consider acceptance of George Reed Inc.'s contract for public improvements - Housing Target Area.  
(Original contract \$22,260.50. 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 record notice of completion. Resolution accepting work as complete needed. Final cost \$27,056.37. Funds are budgeted)

ACTION: Res. 76-765 adopted accepting contract. (Clerk to handle)

CONSENT

10. Consider acceptance of Joe Martin's contract for construction of waterlines in Romano Estates No. 2.  
(Original contract \$4,614. 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 record notice of completion. Resolution accepting work as complete needed. Final cost contract, \$4,633.44; (Services, \$528; Main, \$4,105.44). Funds are budgeted)

ACTION: Res. 76-766 adopted accepting contract. (Clerk to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for construction of waterlines in Havenbrook Park No. 3.  
(Bid opening July 6, 1976 at 11:10 A.M. Costs & Revenue: Construction, \$12,436; Connection charges, \$7,700; Net revenue, \$609. Estimated cost \$12,436 (\$7,967 Const; \$4,469 Engr. & Matls.) Funds are budgeted)

ACTION: Res. 76-767 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

12. Consider award to low bidder, George Reed, Inc., for furnishing annual requirements of liquid and emulsified asphalt for the 1976-77 fiscal year.  
(Material to be purchased intermittently through the year. Memo with agenda. Resolution authorizing purchase from George Reed, Inc. needed. Estimated cost \$21,500. Funds are budgeted)

ACTION: Res. 76-768 adopted awarding contract to George Reed, Inc.  
(Finance to handle)

HEARINGS

13. Receiving of oral bids for sale of building and appurtenant structures located at 2925 River Road. 4:00 P.M.

ACTION: Following receipt of oral bids:  
Res. 76-769 adopted (Kullijian/Dunlap, unan. - Siefkin, absent)  
selling house to Charles W. Walker for \$13,700. (P/W to handle)

14. Hearing on appeal by Bruce & Bonnie Emerson to administrative decision by Director of Public Works regarding planter boxes in planting strip at 3804 Beyer Park Drive. 4:00 P.M.  
(Drop from agenda due to pending study re encroachment permits)

DROPPED FROM AGENDA

15. Matters for the good of the community. 4:05 P.M.  
(These may be presented by interested persons in the audience)

ACTION: At the start of the meeting, the City Manager introduced Bruce Simons, newly-appointed Fire Chief.

## ORDINANCES

### CONSENT

16. Final adoption of the following:  
(Motion adopting needed)

- (a) Ord. No. 1525-C.S. amending Section 10-3-9 of zoning map.  
(Stone Bros.)

ACTION: By motion, Ord. No. 1525-C.S. adopted.

- (b) Ord. No. 1526-C.S. amending Section 5-4-9 of zoning map.  
(Anderson)

ACTION: By motion, Ord. No. 1526-C.S. adopted.

- (c) Ord. No. 1527-C.S. relating to sign regulations.

ACTION: By motion, Ord. No. 1527-C.S. adopted. (Clerk to handle)

17. Consider adoption of the budget for the 1976-77 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. Ordinance adopting the 1976-77 budget, including the first year of the Capital Improvement Program needed.)

ACTION: A motion (Kullijian) to delete the multipurpose room at Somerset Junior High School and City Hall remodeling from the C.I.P. failed due to lack of a second.

(Ord. No. 1528-C.S. adopted (Elliott/Dunlap, maj. - Kullijian, no - Siefkin, absent) adopting 1976-77 budget and C.I.P.  
(Finance to handle)

## UNFINISHED BUSINESS

18. Consider renewal of bus bench franchise.  
(Memo with agenda. A few minor changes in franchise are recommended.  
Motion authorizing staff to prepare new ordinance needed)

ACTION: By motion (Kullijian/Elliott, unan.) staff directed to prepare ordinance. (C/Atty to handle)

## NEW BUSINESS

### CONSENT

19. Annexation to the City of uninhabited territory - Lincoln No. 4  
Addition.

(Approved by LAFCO May 21, 1976. Resolution setting August 9, 1976  
at 7:30 P.M. for hearing needed)

ACTION: Res. 76-770 adopted setting hearing. (Clerk to handle)

### CONSENT

20. Consider cooperative agreement with County on reconstruction of  
Scenic Drive between Oakdale and Lakewood.

(This is a standard cooperative agreement. It establishes the  
County as the lead agency. The project consists of reconstruction  
and realignment of Scenic Drive between 600 feet east of Oakdale and  
Lakewood. Resolution authorizing City Manager to sign agreement  
needed. Funds are budgeted)

ACTION: Res. 76-771 adopted setting hearing. (Clerk to handle)

CONSENT

21. Consider advertising on inside of buses.  
(Robert Riddell has asked to handle advertising on the inside of buses. He'll pay the City \$1.30 per month for each advertising card placed in a bus. Memo with agenda. Motion authorizing preparation of agreement needed)

ACTION: By motion, staff authorized to prepare agreement. (P & T to handle)

CONSENT

22. Approve agreement granting S.O.S.P. \$2,250 for transporting senior citizens.  
(The agreement is for the March 1, 1976 - July 31, 1976 period and provides that S.O.S.P. will transport seniors who cannot use regular buses due to physical limitations or distance from bus stops. Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 76-772 adopted approving agreement. (Finance to handle)

CONSENT

23. Consider amendment to Local Assistance Agreement with Caltrans for the purchase of right of way on the Needham, P Street to Kansas project.  
(Memo with agenda. Resolution authorizing execution of amendment needed)

ACTION: Res. 76-773 adopted approving amendment to agreement. (Clerk to handle)

CONSENT

24. Report of Superintendent of Streets on the cost of installation of curbs and gutters and/or sidewalks at the locations listed below.  
(Resolution setting 4:00 P.M. July 6, 1976 for hearings needed. Funds are budgeted)

- (a) Curb and sidewalk at 323 Sutter Ave., Lots 15 and 16, Block 353.  
(Thelma N. Bitterman - \$339.00)
  - (b) Curb and sidewalk at 335 Sutter Ave., Lots 21 and 22, Block 353.  
(Thelma N. Bitterman - \$359.00)
  - (c) Curb and sidewalk at 331 Sutter Ave., Lots 19 & 20, Block 353.  
(Paul G. Beilke - \$359.00)
  - (d) Sidewalk and curb at 408 Wilson Ave., Portion of Block 2028.  
(Alfred A. Dunson - \$502.00)
  - (e) Sidewalk and curb at 319 Sutter Ave., Lots 13 & 14, Block 353.  
(Edna Ford - \$575.00)
  - (f) Sidewalk along Enslin Ave. at 1351 Enslin Ave., Lot 26, Block 6007.  
(Gerald A. W. Haight - \$285.00)
  - (g) Curb along Sutter at 445 Sutter Ave., Lots 25, 26, 27, Block 336.  
(Ardythe B. Harms - \$385.00)
  - (h) Curb along Sutter Ave. at 1416 Western Way, Lots 44, 45, 46, 47 and 48, Block 336.  
(Shirley Hendrix - \$652.00)
  - (i) Sidewalk along Griswold Ave. and Enslin Ave. at 825 Enslin Ave., Lot 1, Block 715.  
(Dexter C. Hugin - \$756.00)
- DROPPED FROM AGENDA

**CONSENT**

**24. Report of Superintendent of Streets, continued.**

- (j) Curb along Tuolumne Ave. at 302 Alturas Ave., Lots 1, 2, 3, 4, Block 353. (Sally L. Kritner - \$772.00)
- (k) Sidewalk along Wilson Ave. at 401 Wilson Ave., South 70 feet of Lot 7, Block 2027. (Helen L. Lindgren - \$220.75)
- (l) Sidewalk and curb along Sutter Ave. at 1421 Western Way, Lot 25 Block 353. (Wyndeline Odgen - \$648.85.)
- (m) Sidewalk along Enslin Ave. at 608 W. Fairmont Ave., a portion of Lot 2, Block 719. (Blair L. Ryder - \$269.50)
- (n) Sidewalk at 709 Enslin Ave., Lot 8, Block 715. (James Shafer - \$184.50)
- (o) Sidewalk and curb at 327 Sutter Ave., Lots 17 & 18, Block 337. (Ellen E. Sprague - \$381.00)
- (p) Curb at 1213 Tuolumne Blvd., Lots 28 & 29, Block 337. (Clara H. Thompson - \$400.00)

**ACTION:** Res. 76-774 adopted setting hearings for all except (i).  
(P/W to handle)

25. Consider agreement with J/F Aviation for Air Taxi Operation at the Modesto City-County Airport/Harry Sham Field.  
(J/F Aviation proposes to operate light aircraft for the purpose of carrying air cargo for hire. Memo with agenda. Resolution approving agreement needed)

DROPPED FROM AGENDA

**CONSENT**

26. Consider resolution setting revised fees for sign permits. The current fees were established in 1970. The proposed fees are commensurate with changing costs of City Administration. Proposed resolution with agenda. Resolution needed)

**ACTION:** Res. 76-775 adopted setting revised fees. (P/W to handle)

**CONSENT**

27. Proposed Prescott No. 5 Addition.  
(Annexation requests have been received from the owners of five properties located west of Prescott Road and north of Freeway 99. These owners represent a majority of the unincorporated properties located northwest of the Briggsmore interchange. It is recommended that this entire unincorporated area, together with the Freeway and the railroad right of way, be included in the annexation. Motion approving recommendation needed)

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

**REPORTS**

28. Report on amusement machines' proximity to schools.  
(Memo with agenda. Motion accepting report and consideration of amendment to Municipal Code needed)

**ACTION:** By motion (Elliott/Dunlap, maj. - Kullijian, no) accepting report and directing staff to prepare ordinance amending Municipal Code.  
(C/Atty to handle)

CONSENT

29. Report on status of the methane research and development project.  
(A report has been prepared for information purposes. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

30. Report on self-insurance.  
(At the Council's request the staff has reviewed the advantages and disadvantages of self-insurance. Report with agenda. Motion directing staff needed)

ACTION: By motion (Elliott/Kullijian, unan.) staff directed to proceed as recommended in connection with Workmen's Compensation insurance. (Finance to handle)

MISCELLANEOUS

31. Legislation.

ACTION: By motion (Kullijian/Mensing, unan.) AB 3461 opposed.  
By motion (Mensing/Newton, unan.) AB 2594 supported.  
No action taken on AB 3124. (C/Mgr to handle)

32. Appointments.

NONE

33. Matters too late for the agenda.

NONE

34. The Council retired to executive session at 6:00 P.M. to discuss personnel matters with the announcement that they would not return to open meeting.

Adjournment at 6:00 P.M.

ATTEST:

  
\_\_\_\_\_  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JUNE 28, 1976 AT 7:30 P.M.

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

Pledge of allegiance to the Flag  
Invocation by Reverend L. M. Jaffa, Unitarian Minister

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 9, 10, 11, 12,  
Items 5, 6, 24 and 34 removed from 13, 14, 15, 16, 17, 23, 25, 27,  
consent 28, 29, 30, 31, 32, 33, 35, 36,  
Dunlap/Elliott, unan. 37, 38, 39, 40, 41, 42, 43, 44,  
45, 47(a)

(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. Offer by Building and Trades Council of Stanislaus, Merced, Tuolumne and Mariposa Counties to donate skilled labor for restoration of McHenry Mansion.

ACTION: Res. 76-776 adopted (Kullijian/Newton, unan.) expressing appreciation for offer. (Clerk to handle)

APPROVAL OF MINUTES

CONSENT

2. Minutes of June 17 and 21, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

3. Request of D.I.D. for use of Downtown Sidewalks for sidewalk sale July 15, 16 and 17, 1976.  
(Resolution granting request needed)

ACTION: Res. 76-777 adopted granting request. (Clerk to handle)

CONSENT

4. Request of Jane M. Laudenslayer for permission to use loading zone at 1014 J Street for soft drink stand on July 5, 1976 from 8:00 A.M. to 6:00 P.M.  
(Resolution granting request needed)

ACTION: Res. 76-780 adopted granting request. (Police to handle)

5. Application of Charlie Sales, dba Modesto Cab Co., for certificate to operate two additional cabs and one additional taxicab stand.  
(Resolution setting July 12, 1976 at 7:45 P.M. for hearing needed)

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

Res. 76-781 adopted (Siefkin/Dunlap, unan. - Kullijian, absent) setting hearing. (Clerk to handle)

6. Request of Modesto Cab Co. and Red Top Taxi for reduction in taxicab liability insurance to \$25,000 property damage and \$50,000/\$100,000 personal liability.  
(Motion referring to staff for report needed)

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

By motion (Elliott/Dunlap, unan.) referred to staff for report which should include exposure to City if coverage is reduced and also consideration of dial-a-ride or similar program.  
(C/Atty and P & T to handle)

7. Request of residents of Enslin Park Court for installation of the old style, picturesque lamp standards.  
(Memo with agenda)

ACTION: By motion (Elliott/Kullijian, unan.) if staff determines that City will not be penalized by a delay, staff is directed to make a further study and to report to Council in two weeks if possible.  
(P/W to handle)

8. Invitation from First Baptist Church to attend performance of "Freeman." to be held July 2. This is an original musical-drama portraying our heritage from 1776 to 1976.

NO ACTION TAKEN

#### BIDS

##### CONSENT

9. Consider awarding contract for three traffic signals near Vintage Faire and amending 1975-76 budget.  
(Memo with agenda. The low bid of \$115,830 is from Ferrero Electric Inc. and is 40% below the Estimate. The total project cost will be \$128,895, and will be paid for entirely by Ernest W. Hahn, Inc. Resolution awarding contract and resolution amending 1975-76 budget and appropriating funds needed. Estimated cost \$128,895)

ACTION: Res. 76-782 adopted awarding contract to Ferrero Electric, Inc.  
(P & T to handle)

Res. 76-783 adopted amending 1975-76 budget and appropriating funds. (Finance to handle)

##### CONSENT

10. Consider declaring American Rubber Co. as the most responsible bidder and authorizing the purchase of double-jacket-rubber lined fire hose for the total price of \$28,616.29.  
(Memo with agenda. Resolution authorizing purchase of fire hose needed. Estimated cost \$28,616.29. Funds are budgeted)

ACTION: Res. 76-784 adopted authorizing purchase from American Fire Hose Co. (Finance to handle)

CONSENT

11. Consider award of contract for construction of bicycle bridge across M.I.D. Lateral No. 4 at Magnolia Avenue.  
(Bids were opened June 22, 1976. The low bid of \$5,333.00 submitted by Chas. I. Cunningham Co. which is 24% 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. 76-785 adopted awarding contract to Chas. I. Cunningham Co.  
(P/W to handle)

CONSENT

12. Consider award of contract for construction of waterlines in Persian Terrace No. 1.  
(Bids were opened June 22, 1976. The low bid of \$20,191 submitted by Mac's Backhoe Service is 8% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$20,191. Funds are budgeted)

ACTION: Res. 76-786 adopted awarding contract to Mac's Backhoe Service.  
(P/W to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for construction of subtrunk sewer extension in East Orangeburg Avenue from Pepper Tree Lane to Christopher Court.  
(Suggested bid opening July 13, 1976 at 11:00 A.M. This project will extend sewer service to Wyldewood Meadow No. 3 Subdivision. Resolution approving bid call needed. Estimated cost \$20,420 (\$19,420 Const.; \$1,000 Engr.) Funds are budgeted)

ACTION: Res. 76-787 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

14. Consider award of contract for construction of subtrunk sewer extension in Sylvan Ave. and Rexford Ave.  
(Bids were opened June 22, 1976. The low bid of \$35,914 submitted by Western Pipeline Co. is 28% below 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. 76-788 adopted awarding contract to Western Pipeline Co.  
(P/W to handle)

CONSENT

15. Consider award of contract to remodel Building No. 1 and Air Condition building Nos. 1, 2, and 3 at the City Service Yard. (Block 434)  
(Bids were opened June 22, 1976. The low bid of \$17,170 submitted by Matteson construction Co. is 9% above the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Memo with agenda. Resolution awarding contract; resolution approving appropriation transfer; resolution carrying over balance of funds to fiscal year 1976-77 needed. Estimated cost \$21,900 (\$17,170 Const.; \$4,730 Engr., furniture, contingencies). Funds are partially budgeted)

ACTION: Res. 76-789 adopted awarding contract to Matteson Construction Co. (P/W to handle)

CONSENT

15. Consider award of contract to remodel Building No. 1, etc. at City Service Yard, continued.

ACTION: Res. 76-790 adopted approving appropriation transfer from Account 6541-41-321 (\$1,900) and Account 6912-41-321 (\$2,000) to Account 6542-41-321). (Finance to handle)

Res. 76-791 adopted authorizing carry-over of funds to 1976-77 fiscal year. (Finance to handle)

CONSENT

16. Consider acceptance of Wolverine Building Service's contract for construction of wading pool and lights at Sutter Park. (Original contract \$37,995. 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 needed. Final cost, contract, \$38,188. Funds are budgeted)

ACTION: Res. 76-792 adopted accepting contract. (Clerk to handle)

CONSENT

17. Consider authorizing purchase of 20 golf carts from Cushman Motor Sales for \$31,483. (Memo with agenda. (1) Resolution authorizing cart purchase; (2) Resolution authorizing contract for preventive maintenance and tournament fleet rental. (3) Resolution authorizing transfer of funds from Special Fund for Capital Outlay (FY 75-76); (4) Resolution authorizing transfer from General Fund Reserves to Account 222-380-101, M & R of automotive equipment. Estimated cost \$31,483. Funds to be budgeted in Account 6039-310-321, FY 76/77)

ACTION: Res. 76-793 adopted authorizing purchase from Cushman Motor Sales.

Res. 76-794 adopted approving contract for maintenance and tournament fleet rental.

Res. 76-795 adopted approving appropriation transfer of \$31,483 from Account 60-321 to Account 6039-310-321.

Res. 76-796 adopted approving appropriation transfer of \$1,800 from Account 60-101 to Account 222-380-101 for fiscal year 1976-77. (Finance to handle)

HEARINGS

18. Hearing on appeal by James and Marilyn Moore to denial by Planning Commission of request to rezone from R-1 to C-1, property located at the southeast corner of Sutter Ave. and Western Way. 7:30 P.M.

ACTION: Res. 76-797 adopted (Elliott/Dunlap, maj. - Newton, no) denying appeal. (Planning to handle)

19. Hearing, amendment to Section 22-3-9 of zoning map to rezone from R-1 to R-2, property on north side of Wylie Drive extending east from Muirswood Way. (Wylie) 7:35 P.M.

ACTION: Ord. No. 1529-C.S. introduced (Elliott/Kullijian, unan.) rezoning area. (Clerk to handle)

Res. 76-798 adopted (Elliott/Kullijian, unam.) directing Director of Planning and Community Development to file Notice re E.I.R. (Planning to handle)

20. Hearing on amendment to Section 27-3-9 of zoning map to repeal (P-D(26) and rezone to R-1, property between Dry Creek and Scenic Drive. (Caskey) 7:40 P.M.

ACTION: Ord. No. 1530-C.S. introduced (Kullijian/Elliott, unan.) rezoning area. (Clerk to handle)

Res. 76-799 adopted (Kullijian/Elliott, unan.) directing Director of Planning and Community Development to file Notice re E.I.R. (Planning to handle)

21. Hearing, amendment to Section 24-3-9 of zoning map to rezone from R-1 to R-2, property adjacent to northeast corner of Lakewood and East Orangeburg. (Bearden) 7:45 P.M.

ACTION: Ord. No. 1531-C.S. introduced (Mensingher/Kullijian, unan.) rezoning area. (Clerk to handle)

Res. 76-800 adopted (Mensingher/Kullijian, unan.) directing Director of Planning and Community Development to file Notice re E.I.R. (Planning to handle)

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

ACTION: Shel Thompson suggested that he was offering the use of the parking lot of Elaine Thompson Interiors for a Farmers' Market to be held on Saturday afternoons from mid-July to mid-September. By motion (Kullijian/Mensingher, unan.) staff directed to study this matter and report to Council. (C/Mgr to handle)

#### ORDINANCES

##### CONSENT

23. Revised speed limits on various streets for radar enforcement. (Memo with agenda. Speed surveys have been made on several streets on which the Police Department wishes to use radar to enforce the speed limits. Most of the speed limits will be raised 5 to 10 m.p.h. Motion introducing ordinance needed. Estimated cost \$600. Funds are budgeted)

ACTION: Ord. No. 1532-C.S. introduced revising speed limits. (Clerk to handle)

24. Consider amending Section 5-6.02 of the Modesto Municipal Code to provide for sewer service charges to be established by resolution and approving base charges for flow, B.O.D., and suspended solids. (Memo with agenda. Ordinance amending Code and motion approving base charges needed)

ACTION: Ord. No. 1533-C.S. introduced (Dunlap/Mensingher, unan.) amending code. (Clerk to handle)

By motion (Dunlap/Mensingher, unan.) base charges approved. (P/W to handle)

NEW BUSINESS

CONSENT

25. Consider approval of final map of Montecito 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. (The subdivision agreement has been signed and all fees paid. Montecito Park Subdivision is located on the north side of Veneman Ave., west of Carver Road. It contains 25.021 acres. Resolution approving final map needed)

ACTION: Res. 76-801 adopted approving final map. (Clerk to handle)

CONSENT

27. Consider acceptance of improvements in Wyldewood Grove Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods. (Wyldewood Grove Subdivision is located on the north side of Wylie Drive west of Oakdale Road. 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. 76-802 adopted accepting improvements. (Clerk to handle)

CONSENT

28. Consider request for sewer service to property at 1541 Queens Ave. located at the north end of Queens Avenue. (Property owners Richard W. and Lillian I. Parker, have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a sewer main exists to serve the property. Resolution approving agreement needed)

ACTION: Res. 76-803 adopted approving agreement. (P/W to handle)

CONSENT

29. Consider approval of lease with Thrifty Rent-A-Car at the Modesto City-County Airport/Harry Sham Field. (Negotiations have been completed for a new three-year lease. See memo with agenda dated June 21, 1976. Resolution approving agreement needed)

ACTION: Res. 76-804 adopted approving lease agreement. (P/W to handle)

CONSENT

30. Award of contract for external auditor. (Memo with agenda. Resolution approving agreement with Gunderson and Co.; Resolution approving appropriation transfer of \$750 needed. Estimated cost \$4,000. Funds are partially budgeted)

ACTION: Res. 76-805 adopted approving agreement with Gunderson & Co. (Clerk to handle)

Res. 76-806 adopted approving appropriation transfer of \$750. (Finance to handle)

CONSENT

31. Consider approval of final map of Quaresma Tract No. 2 Subdivision. (All improvements have been completed in this subdivision. An improvement bond is not required to approve this subdivision. All fees have been paid. The subdivision is located at Tully Road and Roseburg Ave. It contains 6.707 acres. Resolution approving final map needed)

ACTION: Res. 76-807 adopted approving final map. (Clerk to handle)

CONSENT

32. Consider acceptance of improvements in Quaresma Tract No. 2 Subdivision and authorize City Clerk to record notice of completion. (The subdivision improvements were completed prior to the filing of the final subdivision map. Therefore, an improvement agreement and bonds were not required. This subdivision is located on the southeast corner of Tully Road and Roseburg Ave. Resolution accepting improvements needed)

ACTION: Res. 76-808 adopted accepting improvements. (Clerk to handle)

CONSENT

33. Consider agreement with Nellie L'Hommedieu for acquisition of a bicycle path easement. (Memo with agenda. Resolution approving agreement needed. Estimated cost \$100.00. Funds are budgeted)

ACTION: Res. 76-809 adopted approving agreement. (P/W to handle)

34. Implementation of self-insurance program for worker's compensation insurance. (Report with agenda. Resolution approving contract with insurance management firm and resolution authorizing purchase of excess insurance needed. Estimated cost \$54,715. Funds are budgeted)

ACTION: Res. 76-810 adopted (Dunlap/Elliott, unan.) approving contract with R. L. Kautz & Co.

Res. 76-811 adopted (Kullijian/Dunlap, unan.) authorizing purchase of \$10,000,000 excess insurance from Employers Reinsurance Corp. (Finance to handle)

REPORTS

CONSENT

35. Consider staff report recommending the method of disposal for seven parcels of land declared as being excess to city needs by the Planning Commission. (Memo with agenda. Motion approving report and its recommendations needed)

ACTION: By motion, report and recommendations approved. (P/W to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

36. Recommend amendment to Section 19-3-9 of zoning map - Albert Andrade. (On June 15, 1976, the Planning Commission adopted Res. 76-110 recommending to the Council an amendment to Section 19-3-9 to rezone from R-1 to P-0, property located on the north side of West Orangeburg, 100 feet east of Carver Road. Resolution setting July 19, 1976 at 4:00 P.M. for public hearing needed)

ACTION: Res. 76-812 adopted setting hearing. (Clerk to handle)

CONSENT

37. Recommend to Council amendment to Section 16-3-9 of zoning map - Arlie Ralls. (On June 15, 1976, the Planning Commission adopted Res. 76-109 recommending to the Council an amendment to Section 16-3-9 to rezone from R-1 to P-0, property located on the west side of Coffee Road south of Floyd Ave. Resolution setting July 19, 1976 at 4:05 P.M. for public hearing needed)

ACTION: Res. 76-813 adopted setting hearing. (Clerk to handle)

CONSENT

38. General Plan Housing Element, Phase 3.  
(On June 15, 1976, the Planning Commission adopted Res. 76-102 recommending an amendment to the Modesto Urban Area General Plan (Housing Element, Phase 3). Phase I of the Housing Element was adopted in 1970. Phase 2 in 1974. This is the third and final phase dealing with implementation. Resolution setting July 26, 1976 at 7:30 P.M. for hearing needed)

ACTION: Res. 76-814 adopted setting hearing. (Clerk to handle)

CONSENT

39. Recommend amendment to Section 26-3-9 of the zoning map - portion of P-D(77). (Allan Grant, Inc.)  
(On June 15, 1976, the Planning Commission adopted Res. 76-106 recommending to the Council an amendment to Section 26-3-9 to rezone a portion of P-D(77) to R-2 and R-3, property located on the north side of Yosemite Blvd. and on the east side of Capistrano Drive extended. Resolution setting July 19, 1976 at 4:10 P.M. for public hearing needed)

ACTION: Res. 76-815 adopted setting hearing. (Clerk to handle)

CONSENT

40. Recommend amendment to Section 5-4-9 of the zoning map - P-D(91).  
(On June 15, 1976, the Planning Commission adopted Res. 76-103 recommending an amendment to Section 5-4-9 to Repeal P-D(91) and rezone to R-2, property located on the southeasterly side of Roselawn Ave. and Colorado Ave. and Pelton Ave. extended. Resolution setting July 19, 1976 at 4:15 P.M. for public hearing needed)

ACTION: Res. 76-816 adopted setting hearing. (Clerk to handle)

CONSENT

41. Recommend granting an unclassified use permit - Doctors' Hospital.  
(On June 15, 1976, the Planning Commission adopted Res. 76-108 recommending to the Council the granting of an unclassified use permit to allow construction of a one and four story building expansion to the Doctors' Hospital complex, including an additional 53 beds and an expanded parking area on property located on the north side of Orangeburg Ave., west of Florida Ave. Resolution setting July 19, 1976 at 4:20 P.M. for public hearing needed)

ACTION: Res. 76-817 adopted setting hearing. (Clerk to handle)

CONSENT

43. Recommend amendment to Section 19-3-9 of the zoning map - amendment to P-D(140) - King Development Co.  
(On June 15, 1976, the Planning Commission adopted Res. 76-111 recommending an amendment to Section 19-3-9 to amend P-D(140) to add an additional 13 feet of frontage along the westerly side of the property located on the south side of West Orangeburg Ave. west of Martin Ave. Resolution setting July 19, 1976 at 4:25 P.M. for public hearing needed)

ACTION: Res. 76-818 adopted setting hearing. (Clerk to handle)

CONSENT

43. Vacate and abandon 20-foot public alley in Quaresma Tract No. 1 Subdivision.  
(The Council considered this alley abandonment at a public hearing held on July 28, 1975 and stated their intention of approving the abandonment at such time as the final map of Quaresma Tract No. 2 was recorded to create a new alley. The final map of Quaresma Tract No. 2 is on this agenda and the alley abandonment would be in order. Memo with agenda. Resolution vacating and abandoning alley needed)

ACTION: Res. 1332-S.P. adopted vacating and abandoning alley. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

44. Interfund transfer of \$40,818.19 from fund balance of the Capital Outlay Fund (321) to fund balance of the Special Gas Tax Street Improvement Fund (207).  
(Memo with agenda. Resolution approving interfund transfer needed)

ACTION: Res. 76-819 adopted approving interfund transfer. (Finance to handle)

CONSENT

45. Fund transfer for rental of barricades for weekend closing of streets entering lower McHenry in 1976-77 fiscal year.  
(A decision on permanent, temporary or no closing of these streets may not be made for about three months, and funds are needed to continue renting barricades. Memo with agenda. Resolution approving fund transfer needed. Estimated cost \$153.)

ACTION: Res. 76-820 adopted approving appropriation transfer of \$153 from Account 60-101 to Account 216-560-101 (1976-77 budget).  
(Finance to handle)

MISCELLANEOUS

46. Legislation.

NONE

47. Appointments.

CONSENT

- (a) Youth Commission.

ACTION: Res. 76-821 adopted appointing John Bree, Central Catholic High, Marc Jonesi, Downey High, and Diane Brewer, Modesto High, and reappointing Lori Hammer, Beyer High, Gary Swann, Davis High, and Donna Rohnow, Downey High, as members of the Modesto Youth Commission for terms ending June, 1977. (Clerk to handle)

- (b) Other.

ACTION: Res. 76-822 adopted (Elliott/Dunlap, unan.) appointing Mayor Davies and Councilmembers Kullijian and Mensinger as a committee to study applications for appointments to boards and commissions and report to Council. (C/Mgr to handle)

48. Matters too late for the agenda.

NONE


49. The Council retired to executive session at 9:50 P.M. to consider personnel matters and returned to open meeting at 10:28 P.M.

ACTION: Res. 76-823 adopted (Elliott/Dunlap, unan.) approving Memo of Understanding with Modesto City Fire Fighters' Association.

Res. 76-824 adopted (Elliott/Dunlap, unan.) approving Memo of Understanding with Modesto Police Association. (C/Mgr to handle)

Adjournment at 10:30 P.M.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

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6/28/76

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 6, 1976 AT 4:00 P.M.

Roll call Present: Dunlap, Kullijian, Mensinger, Newton, Siefkin,  
Mayor Davies  
Absent: Elliott  
(Councilmember Newton arrived at 4:10 P.M.)

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 8, 9,  
Items 15, 21(a) and 24 removed from consent 10, 14, 16, 17, 18, 19, 20, 22,  
23  
Dunlap/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)

PRESENTATIONS

1. (a) Offer by Soroptomist International of Modesto to donate \$1,976 toward restoration of a room in the McHenry Manion.

ACTION: Res. 76-825 adopted (Siefkin/Mensinger, unan. - Elliott and Newton, absent) accepting offer with appreciation. (P & R to handle)

- (b) Offer by McGrath Moving and Storage to assist with transportation and, if necessary, storage of household goods that may be acquired for use in McHenry Mansion.

ACTION: Res. 76-826 adopted (Siefkin/Mensinger, unan. - Elliott and Newton, absent) accepting offer with appreciation. (P & R to handle)

- (c) Offer by Phi Gamma Chapter of Omega Nu to donate \$1,000 toward restoration of the McHenry Mansion.

ACTION: Res. 76-827 adopted (Siefkin/Mensinger, unan. - Elliott and Newton, absent) accepting offer with appreciation. (P & R to handle)

- (d) Presentation of \$100 from Benson and Zimmerman Co. for Housing Program Tool Bank.  
(Four resolutions accepting above offers recommended)

ACTION: Res. 76-828 adopted (Siefkin/Mensinger, unan. - Elliott and Newton, absent) accepting offer with appreciation. (Planning to handle)

APPROVAL OF MINUTES

CONSENT

2. Minutes of June 28, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

3. Request of Board of Directors, King-Kennedy Memorial Center, Inc., for expansion of fund-raising activities.  
(Memo with agenda. Motion approving staff recommendation that permission must be obtained from Parks & Recreation Dept. for any fund-raising activities needed)

ACTION: By motion, staff recommendation approved. (P & R to handle)

BIDS

CONSENT

4. Consider award to low bidder, Jones Chemical, Inc. for furnishing annual requirements of liquid chlorine. Chlorine to be purchased intermittently throughout the 1976-77 fiscal year for \$197.00 per ton delivered.  
(Memo with agenda. Resolution authorizing purchase needed. Estimated Cost: \$135,000; funds are budgeted.)

ACTION: Res. 76-829 adopted awarding contract to Jones Chemical, Inc.  
(Finance to handle)

CONSENT

5. Consider acceptance of Biben's Nursery Co.'s contract for construction of Landscaping and Irrigation at Fire Station No. 5.  
(Original contract: \$6,821.00. All work on this project has been completed to the satisfaction of the Parks Department, Fire 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 the work as complete needed. Final Cost: Contract \$6,203.50; funds are budgeted.)

ACTION: Res. 76-830 adopted accepting contract. (Clerk to handle)

CONSENT

6. Consider award of contract for Asphalt Concrete Resurfacing Various City Streets, 1976-77.  
(Bids were opened June 29, 1976. The low bid of \$125,908.70 submitted by George Reed, Inc., is 2.31% 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: \$136,864.70 (Contract \$125,908.70, Engr. \$10,956.00). Funds are budgeted.)

ACTION: Res. 76-831 adopted awarding contract to George Reed, Inc.  
(P/W to handle)

CONSENT

7. Consider declaring Randik Paper Co. of Modesto the most responsible bidder and authorizing the purchase of dry-cell batteries for 50.6% off suggested retail prices. This is a co-operative venture and includes the needs of Modesto City Schools, City of Modesto, Stanislaus County and Yosemite Jr. College District.  
(Memo with agenda. Resolution authorizing the purchase of dry-cell batteries needed. Estimated Cost: \$5,000.00; funds are budgeted.)

ACTION: Res. 76-832 adopted awarding contract to Randik Paper Co.  
(Finance to handle)

CONSENT

8. Consider declaring Walkerlite Co. of Sacramento as the most responsible bidder and authorizing the purchase of large lamps for the discounted price of 68.3% and audio-photo lamps for 60.3/55.9%; lamps will be purchased intermittently throughout the 1976-77 fiscal year. This is a co-operative venture and includes the needs of Modesto City Schools, City of Modesto, City of Turlock, Stanislaus County, and Yosemite Jr. College District.  
(Memo with agenda. Resolution authorizing purchase of lamps needed. Estimated Cost: \$12,800.00 (City portion). Funds are budgeted)

ACTION: Res. 76-833 adopted awarding contract to Walkerlite Co. (Finance to handle)

CONSENT

9. Consider declaring Pure Gro Co. of Modesto the most responsible bidder and authorizing the purchase of anhydrous ammonia for \$169.50 per ton delivered. Material to be purchased intermittently throughout the 1976-77 fiscal year.  
(Memo with agenda. Resolution authorizing purchase of anhydrous ammonia needed. Estimated Cost: \$39,500.00; funds are budgeted)

ACTION: Res. 76-834 adopted awarding contract to Pure Gro Co. (Finance to handle)

CONSENT

10. Consider declaring The Flintkote Company as the most responsible bidder and authorizing the purchase of ready-mixed concrete for the following prices: 4 sack mix at \$26.00 cu/yd.; 5 sack mix at \$28.00 cu/yd.; 6 sack mix at \$30.50 cu/yd.; CaCl at \$1.00 gal.  
(Memo with agenda. Resolution authorizing purchase of ready-mixed concrete needed. Estimated Cost: \$6,500.00; funds are budgeted)

ACTION: Res. 76-835 adopted awarding contract to The Flintkote Co. (Finance to handle)

HEARINGS

11. Hearings on cost of construction of sidewalks, etc. at the following locations: 4:00 P.M.

- (a) Curb and sidewalk at 323 Sutter Avenue, Lots 15 & 16 of Block 353. (Thelma N. Bitterman - \$339.00)

ACTION: Res. 76-836 adopted (Dunlap/Kullijian, unan. - Elliott, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (b) Curb and sidewalk at 335 Sutter Avenue, Lots 21 & 22 of Block 353. (Thelma N. Bitterman - \$359.00)

ACTION: Res. 76-837 adopted (Dunlap/Kullijian, unan. - Elliott, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (c) Curb and sidewalk at 331 Sutter Avenue, Lots 19 & 20 of Block 353. (Paul G. Beilke - \$359.00)

ACTION: Res. 76-838 adopted (Dunlap/Kullijian, unan. - Elliott, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

11. Hearings on cost of construction of sidewalks, etc., continued 4:00 P.M.

- (d) Sidewalk and curb at 408 Wilson Avenue, a portion of Block 2028. (Alfred A. Dunson - \$502.00)

ACTION: Res. 76-839 adopted (Dunlap/Kullijian, unan. - Elliott, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (e) Sidewalk and curb at 319 Sutter Avenue, Lots 13 & 14 of Block 353. (Edna Ford - \$575.00)

ACTION: Res. 76-840 adopted (Dunlap/Kullijian, unan. - Elliott, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (f) Sidewalk along Enslin Avenue at 1351 Enslin Avenue, Lot 26 of Block 6007. (Gerald A. W. Haight - \$285.00)

ACTION: Res. 76-841 adopted (Dunlap/Kullijian, unan. - Elliott, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (g) Curb along Sutter at 445 Sutter Avenue, Lots 25, 26 & 27 of Block 336. (Ardythe B. Harms - \$385.00)

ACTION: Res. 76-842 adopted (Dunlap/Kullijian, unan. - Elliott, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (h) Curb along Sutter Avenue at 1416 Western Way, Lots 44, 45, 46, 47 and 48 of Block 336. (Shirley Hendrix - \$652.00)

ACTION: Res. 76-843 adopted (Dunlap/Kullijian, unan. - Elliott, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (i) Curb along Tuolumne Avenue at 302 Alturas Avenue, Lots 1, 2, 3, & 4 of Block 353. (Sally L. Kritner - \$772.00)  
(Payment over a 10-year period recommended)

ACTION: Res. 76-844 adopted (Dunlap/Kullijian, unan. - Elliott, absent) confirming report, assessing costs and directing method of collection over a 10-year period. (Finance to handle)

- (j) Sidewalk along Wilson Avenue at 401 Wilson Avenue, South 70 feet of Lot 7 of Block 2027. (Helen L. Lindgren - \$220.75)

ACTION: Res. 76-845 adopted (Dunlap/Kullijian, unan. - Elliott, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (k) Sidewalk and curb along Sutter Avenue at 1421 Western Way, Lot 25 of Block 353. (Wyndeline Ogden - \$648.85)  
(Drop from agenda - Paid)

DROPPED

- (l) Sidewalk along Enslin Avenue at 608 W. Fairmont Avenue, a portion of Lot 2 of Block 719. (Blair L. Ryder - \$269.50)

ACTION: Res. 76-846 adopted (Dunlap/Kullijian, unan. - Elliott, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

11. Hearings on cost of construction of sidewalks, etc., continued 4:00 P.M.

- (m) Sidewalk at 709 Enslin Avenue, Lot 8 of Block 715.  
(James Shafer - \$194.70.)  
(Payment over a 4-year period recommended)

ACTION: Res. 76-847 adopted (Dunlap/Kullijian, unan. - Elliott, absent) confirming report, assessing costs and directing method of collection over a 4-year period. (Finance to handle)

- (n) Sidewalk and curb at 327 Sutter Avenue, Lots 17 & 18 of Block 337. (Ellen E. Sprague - \$381.00)

ACTION: Res. 76-848 adopted (Dunlap/Kullijian, unan. - Elliott, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

- (o) Curb at 1213 Tuolumne Blvd., Lots 28 & 29 of Block 337.  
(Clara H. Thompson - \$400.00)  
(Payment over an 8-year period recommended)

ACTION: Res. 76-849 adopted (Dunlap/Kullijian, unan. - Elliott absent) confirming report, assessing costs and directing method of collection over an 8-year period. (Finance to handle)

12. Hearing on amendment to Sec. 25-3-9 of zoning map to prezone to P-0 and P-D, to permit construction of a neighborhood shopping center at the northeast corner of Lincoln and Yosemite.

4:05 P.M.

ACTION: Ord. No. 1534-C.S. introduced (Dunlap/Newton, unan. - Elliott, absent) rezoning area. (Clerk to handle)

Res. 76-850 adopted (Dunlap/Newton, unan. - Elliott, absent) approving Development Plan. (Planning to handle)

Res. 76-851 adopted (Dunlap/Newton, unan. - Elliott, absent) directing Director of Planning and Community Development to file Notice re E.I.R. (Planning to handle)

13. Matters for the good of the community.

4:10 P.M.

(These may be presented by interested persons in the audience)

ACTION: Res. 76-852 adopted (Siefkin/Mensing, unan. - Elliott, absent) commending Modesto City Employees' Association upon winning the Sweepstakes Trophy in the Fourth of July Parade. (Clerk to handle)

#### ORDINANCES

##### CONSENT

14. Final adoption of the following:  
(Motions adopting needed)

- (a) Ord. No. 1529-C.S. (Amendment to Sec. 22-3-9, Wylie)

ACTION: By motion, Ord. No. 1529-C.S. adopted. (Clerk to handle)

- (b) Ord. No. 1530-C.S. (Amendment to Sec. 27-3-9, Caskey)

ACTION: By motion, Ord. No. 1530-C.S. adopted. (Clerk to handle)

CONSENT

14. Final adoption of the following, continued:

(c) Ord. No. 1531-C.S. (Amendment to Sec. 24-3-9, Bearden)

ACTION: By motion, Ord. No. 1531-C.S. adopted. (Clerk to handle)

(d) Ord. No. 1532-C.S. (Speed limits)

ACTION: By motion, Ord. No. 1532-C.S. adopted. (Clerk to handle)

(e) Ord. No. 1533-C.S. (Sewer service charges)

ACTION: By motion, Ord. No. 1533-C.S. adopted. (Clerk to handle)

15. Ordinance amending Section 4-1.108 of the Modesto Municipal Code to amend a restriction regarding amusement machines within 300 feet of schools.  
(Copy with agenda. On June 21, 1976, the Council directed the staff to prepare an ordinance to restrict amusement machines within 300 feet of schools which have classes from kindergarten through the twelfth grade. Introduction of ordinance needed)

ACTION: By motion (Dunlap/Newton, maj. - Kullijian, no - Elliott and Siefkin, absent) Ord. No. 1535-C.S. introduced. (Clerk to handle)

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

By motion (Kullijian/Newton, unan.) staff directed to report in two years as to how this ordinance is working with respect to schools. (Police to handle)

NEW BUSINESS

CONSENT

16. Approve contract covering advertising on the inside of buses.  
(Per earlier Council direction the contract with Robert Riddell is ready for approval. The City is to receive \$1.30 per month for each 11" x 28" card displayed in a bus. Resolution approving contract needed)

ACTION: Res. 76-853 adopted approving contract. (P & T to handle)

CONSENT

17. Consider authorizing the City Manager to execute a right of entry for the McHenry Avenue Cooperative Project with Caltrans (McHenry Avenue, in Modesto from Standiford/Sylvan to 0.1 mile south of Wells)  
(Memo with agenda. Resolution authorizing the City Manager to execute a right of entry needed)

ACTION: Res. 76-854 adopted authorizing City Manager to execute right of entry. (P/W to handle)

CONSENT

18. Consider change in water line construction contract policy so that contractors will furnish water main fittings.  
(The contractors now furnish water pipe and the City furnishes the valves and fittings. Memo with agenda. Motion approving change in policy needed)

ACTION: By motion, change in policy approved. (P/W to handle)

CONSENT

19. Consider approval of the final map of the Lincoln Manor 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.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the south side of East Orangeburg Avenue east of Lakewood Avenue. It contains 2.059 acres. Resolution approving final map needed)

ACTION: Res. 76-855 adopted approving final map of Lincoln Manor No. 3.  
(Clerk to handle)

CONSENT

20. Annual report of City's insurance program.  
(Memo with agenda. Motion accepting report and two resolutions approving appropriation transfers to provide additional funds. Estimated Cost: \$350,375. Funds are partially budgeted)

ACTION: By motion, report accepted.

Res. 76-856 adopted approving appropriation transfer of \$7,300 from Account 60-512 to Account 412-480-512.

Res. 76-857 adopted approving appropriation transfer of \$20.00 from Account 60-209 to Account 415-209). (Finance to handle)

21. Actions necessary to implement Memoranda of Understanding with employee associations.  
(Resolution establishing salary schedules and fixing compensation for classifications in City service effective 7-6-76. Resolution establishing uniform allowance needed)

ACTION: By motion (Kullijian/Dunlap, unan.) all management and confidential employees and Council appointees to receive a 6% salary increase and the benefits granted to the employee associations, and annual physicals, and life insurance coverage approximately equal to their annual salaries. (Personnel to handle)

Res. 76-858 adopted (Kullijian/Dunlap, unan. - Elliott, absent) establishing salary schedules and fixing compensation for classifications in City service effective 7-6-76,

Res. 76-859 adopted (Kullijian/Dunlap, unan. - Elliott, absent) increasing uniform allowances for fire personnel.

Res. 76-860 adopted (Kullijian/Dunlap, unan. - Elliott, absent) authorizing a 6% increase in compensation for Monroe Taylor.  
(Kullijian/Dunlap, unan. - Elliott, absent)

Res. 76-861 adopted/appropriating money for Neighborhood Youth Advisory Program.

Res. 76-862 adopted (Kullijian/Dunlap, unan. - Elliott, absent) approving appropriation transfer from Accounts 60-800-101 (\$360,146); 60-209 (\$1,419); 60-218 (\$28); 235-185-224 (\$186); 60-800-350 (\$161); and 60-800-512 (\$1,704) to various accounts in Funds 101; 209; 218; 224; 350 and 512. (Finance to handle)

- 21A. Consider revising position classification plan.  
(Memo with agenda. Resolution needed)

ACTION: Res. 76-863 adopted (Dunlap/Kullijian, unan. - Elliott, absent) approving revised position classification/ (Personnel to handle) plan.

CONSENT

22. Consider amendments to Solid Waste Management Plan for Stanislaus County.  
(Memo with agenda. Resolution approving amendments needed)

ACTION: Res. 76-864 adopted approving amendments to Plan. (P/W to handle)

REPORTS

CONSENT

23. Report by Greater Modesto Chamber of Commerce on monies expended from "Tourism Fund."  
(Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

24. Proposed amendments to Chapter 6 of Title IX and Chapter 2 of Title X of the Municipal Code.  
(See memo and folder attached. On June 8, 1976, the Planning Commission adopted Resolution No. 76-99 recommending to the Council amendments, additions, and deletions to the sign regulations and zoning regulations pertaining to signs and related matters. Resolution setting July 26, 1976 at 7:35 P.M. for public hearing needed)

ACTION: Res. 76-865 adopted (Dunlap/Kullijian, unan. - Elliott, absent) setting hearing. (Clerk to handle)

It was agreed that there would be a study session for Council on July 19 and, if necessary, July 21. (C/Mgr to handle)

MISCELLANEOUS

25. Legislation.

NONE

26. Appointments.

NONE

27. Matters too late for the agenda.

NONE

Ajournement at 5:05 P.M.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 12, 1976 AT 7:30 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,  
Siefkin, Mayor Davies  
Absent: None  
(Councilmember Newton was excused at 11:05 P.M.)

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, 11, 13, 14,  
Dunlap/Elliott, unan. 15, 16, 17, 18, 19, 20

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of July 6, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Edna Ford to permit payments for sidewalk and curb to be made over an extended period.  
(Resolution permitting payment over ten-year period needed)

ACTION: Res. 76-866 adopted permitting payment over a ten-year period.  
(Finance to handle)

BIDS

CONSENT

3. Consider approval of plans and specifications and call for bids for construction of waterlines in Lincoln Manor #2 and Wyldewood Meadow #2.  
(Resolution approving plans and specifications and call for bid needed. Estimated cost \$22,124 (\$12,545; Construction; \$9,575, Eng. & Matls.)

ACTION: Res. 76-867 adopted approving plans, specifications and bid call.  
(Clerk to handle)

CONSENT

4. Consider award of contract for construction of waterlines in Haven-Brook Park No. 3.  
(Bids were opened July 6, 1976. The low bid of \$7,269.50, submitted by Joe Martin, is 9% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$7,269.50. Funds are budgeted)

ACTION: Res. 76-868 adopted awarding contract to Joe Martin. (P/W to handle)

## HEARINGS

5. Hearing to discuss alternative wastewater projects to meet wastewater treatment responsibilities of City. 7:30 P.M.

ACTION: No Council action needed. By Order of the Chair, report referred to staff. (P/W to handle)

6. Hearing, appeal by William Loretelli to action of Board of Zoning Adjustment requiring 10:00 P.M. closing time for commercial development at southwest corner of McHenry and Leveland. 7:35 P.M.

ACTION: Res. 76-869 adopted (Elliott/Dunlap, unan.) denying appeal. (Planning to handle)

7. Hearing, appeal to denial by Planning Commission of request for rezoning from R-1 to P-D, property located on both sides of Union east of McHenry. (Towery) 7:40 P.M.

ACTION: Res. 76-870 adopted (Elliott/Kullijian, unan.) denying appeal, and waiving one-year limit for reapplying. (Planning to handle)

8. Hearing, application of Modesto Cab Company for two additional cabs and one additional cab stand. 7:45 P.M.

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

Res. 76-871 adopted (Elliott/Dunlap, unan. - Kullijian and Newton, absent) declaring that public convenience and necessity require additional cabs and granting request. (P & T to handle)

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

ACTION: Res. 76-872 adopted (Elliott/Newton, unan.) commending Clerk for finally leaving City employment. (C/Atty to handle)

## ORDINANCES

10. Final adoption of Ordinance No. 1535-C.S. relating to amusement machines. (Motion adopting needed)

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

By motion (Dunlap/Elliott, maj. - Kullijian, no - Newton and Siefkin, absent) adopting Ord. No. 1535-C.S. (Clerk to handle)

## CONSENT

11. Consider renewing bus bench franchise. (The franchise would be for five years beginning January 1, 1977. The franchise includes the changes authorized at the June 21, 1976 council meeting. Memo with agenda. Introduction of ordinance needed)

ACTION: Ord. No. 1536-C.S. introduced renewing franchise. (Clerk to handle)

UNFINISHED BUSINESS

12. Consideration of taxi insurance - taxi rates.  
(Memos with agenda. It is recommended that the insurance requirements not be reduced but that the City Council look favorably upon a reasonable rate increase if requested. Motion needed)

ACTION: By motion (Mensingher/Elliott, unan.) staff directed to retain present requirements.

CONSENT

13. Consider negotiations by staff with advertising agencies for preparation of a pamphlet concerning swimming pool safety.  
(Memo with agenda. Motion directing staff to proceed needed)

ACTION: By motion, staff authorized to proceed. (P/W to handle)

NEW BUSINESS

CONSENT

14. Consider request for sewer service to property at 1542 Paulette Avenue, located on the east side of Paulette Avenue north of Coolidge Avenue.  
(Bill A. and Hannah M. Pritchett, property owners, have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a sewer main exists to serve it. Resolution approving agreement needed)

ACTION: Res. 76-873 adopted approving agreement. (P/W to handle)

CONSENT

15. Consider acceptance of improvements in Romano Estates No. 2 Subdivision and authorize City Clerk to record notice of completion and release bonds upon expiration of statutory periods.  
(This subdivision is located east of Sonoma Avenue and South of East Orangeburg 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. 76-874 adopted accepting improvements. (Clerk to handle)

CONSENT

16. Consider request for sewer service to property at 3332 McHenry Avenue, located on the east side of McHenry Avenue between Robin Hood Drive and Sylvan Avenue.  
(Walker, Walker & Pinkston, property owners, have signed an agreement to annex when requested to do so by City. The property is contiguous to the City, but the sewer main must be extended to serve the property. Resolution approving agreement needed)

ACTION: Res. 76-875 adopted approving agreement. (P/W to handle)

CONSENT

17. Resolution certifying to the Board of Supervisors of the County of Stanislaus the amount of money needed by the City of Modesto for the payment of principal and interest on bonds of the Modesto Municipal Sewer District No. 1.  
(Memo with agenda. Resolution needed)

ACTION: Res. 76-876 adopted certifying amount of money needed for payment of principal and interest on bonds of Modesto Municipal Sewer District No. 1. (Finance to handle)

CONSENT

18. Consider adoption of a revised schedule of house moving investigation fees and house moving permit fees.  
(Memo and proposed resolution with agenda. Resolution needed)

ACTION: Res. 76-877 adopted establishing investigation and permit fees relating to moving of buildings. (P/W to handle)

CONSENT

19. Request by City Attorney for six days vacation on July 15, 16, 22, 23, 29, and 30.  
(Motion authorizing needed)

ACTION: By motion, vacation authorized.

APPROPRIATION TRANSFERS

CONSENT

20. Request for appropriation transfer.  
(One of the air conditioners at the McHenry Museum cannot be repaired. This appropriation transfer is necessary to purchase an air conditioner to replace it. We were not aware at the time the budget was prepared that there was any problem with the unit. Resolution approving transfer of \$550 from the General Reserve needed)

ACTION: Res. 76-878 adopted approving appropriation transfer of \$550 from Account 60-800-101 to Account 5302-290-101. (Finance to handle)

MISCELLANEOUS

21. Legislation.

NONE

22. Appointments.

NONE

23. Matters too late for the agenda.

NONE

Adjournment to executive session at 11:35 P.M. to discuss personnel matters with the announcement that the Council would not return to open meeting.

ATTEST:

  
W. T. CHYNOWETH, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 19, 1976 AT 4:00 P.M.

Roll Call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,  
Siefkin, Mayor Davies

Absent: None

(Councilmember Newton arrived at 4:05 P.M.)

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 6, 7, 8, 16, 17,  
Item 21 dropped from agenda 18, 19, 20, 22, 23, 24, 25

(Councilmember Kullijian disqualified him-  
self from voting on Item #3)

Siefkin/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)

PRESENTATIONS

1. Presentation of replica of Liberty Bell to City of Modesto by Mr. Don Barry and the McDonalds Corporation.

(Resolution accepting with appreciation needed)

(Dunlap/Elliott, unan. - Newton, absent)

ACTION: Res. 76-879 adopted/accepting offer with appreciation.

APPROVAL OF MINUTES

CONSENT

2. Minutes of July 12, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

3. Application by Dennis McDonald, dba Red Top Taxi, for certificate to operate two additional cabs and one additional taxicab stand.  
(Resolution setting August 2, 1976 at 4:05 P.M. for hearing needed)

ACTION: Res. 76-880 adopted (Siefkin/Mensinger, unan. - Kullijian and Newton, absent) setting hearing. (Clerk to handle)

4. Letter from Gerald Kreger requesting discussion concerning bicycle lane dangers in Beyer High School area.

ACTION: Gerald Kreger discussed dangers of bike riders in Beyer High area.

By motion (Kullijian/Dunlap, unan.) staff to study situation and come back to Council with recommendation. (P & T to handle)

## BIDS

### CONSENT

5. Consider waiving formal bid procedures and authorize the purchase of data storage and program memory equipment from Hewlett Packard of Sacramento, California for \$6,842.79.  
(Memo with agenda. Resolution waiving formal bid procedure (five affirmative votes required) and authorizing purchases needed. Estimated cost \$6,842.79. Funds are budgeted)

ACTION: Res. 76-881 adopted waiving formal bid and authorizing purchase from Hewlett Packard of Sacramento. (Finance to handle)

### CONSENT

6. Consider award of contract to Stanislaus Pump & Machinery Corporation for the construction of Pump Station No. 42.  
(Pump Station No. 42 is located near the westerly edge of the Vintage Faire shopping center and will serve the northwest portion of Modesto. Memo with agenda. Resolution approving appropriation transfer and resolution awarding contract needed. Estimated cost \$93,933 (\$84,999, Const. \$8,934, Eng., Mtls., Contingencies). Funds are budgeted in amount of \$47,933.

ACTION: Res. 76-882 adopted awarding contract to Stanislaus Pump & Machinery Corporation. (P/W to handle)

Res. 76-882-A adopted approving appropriation transfer of \$46,000 from Account 6841-500-101 to Account 6815-500-101. (Finance to handle)

### CONSENT

7. Consider award of contract for construction of subtrunk sewer in East Orangeburg Avenue from Pepper Tree Lane to Christopher Court.  
(Bids were opened July 13, 1976. The low bid of \$19,194.40 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 needed. Funds are budgeted)

ACTION: Res. 76-883 adopted awarding contract to Western Pipeline Co. (P/W to handle)

### CONSENT

8. Consider acceptance of Elmer J. Freethy contract for immediate improvements to Wastewater Treatment Works.  
(Original contract \$598,891.00. All work on this project has been completed to the satisfaction of the Public Works Department and has been accepted by a State representative. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$626,933.35. Funds are budgeted)

ACTION: Res. 76-884 adopted accepting contract. (Clerk to handle)

## HEARINGS

9. Hearing on amendment to Section 19-3-9 of zoning map to rezone from R-1 to P-0, property on north side of West Orangeburg 100 feet east of Carver. (Andrade) 4:00 P.M.

ACTION: Ord. No. 1537-C.S. introduced (Kullijian/Dunlap, unan.) rezoning area. (Clerk to handle)

Res. 76-885 adopted (Kullijian/Dunlap, unan.) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

10. Hearing on amendment to Section 16-3-9 of zoning map to rezone from R-1 to P-0, property on the west side of Coffee south of Floyd. (Ralls) 4:05 P.M.

ACTION: Ord. No. 1538-C.S. introduced (Newton/Elliott, unan.) rezoning area. (Clerk to handle)

Res. 76-886 adopted (Newton/Elliott, unan.) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

11. Hearing on amendment to Section 26-3-9 of zoning map to rezone a portion of P-D(77) to R-2 and R-3, property on the north side of Yosemite and east side of Capistrano extended. (Grant) 4:10 P.M.

ACTION: Ord. No. 1539-C.S. introduced (Dunlap/Kullijian, unan.) rezoning area. (Clerk to handle)

Res. 76-887 adopted (Dunlap/Kullijian, unan.) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

12. Hearing on amendment to Section 5-4-9 of zoning map to repeal P-D(91) and rezone to R-2, property on the south-easterly side of Roselawn, Colorado and Pelton extended. 4:15 P.M.

ACTION: Ord. No. 1540-C.S. introduced (Dunlap/Kullijian, unan. - Mayor Davies, absent) rezoning area. (Clerk to handle)

Res. 76-888 adopted (Dunlap/Kullijian, unan. - Mayor Davies, absent) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

13. Hearing on request for unclassified use permit to allow construction of a one and four story building expansion to Doctors' Hospital.) 4:20 P.M.

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

By motion (Siefkin/Elliott, unan. - Mensinger, absent) hearing continued to August 9, 1976 at 7:40 P.M. (Clerk to handle)

14. Hearing on amendment to Section 19-3-9 of zoning map to amend P-D(140) to add an additional 13 feet of frontage along westerly side of property on south side of West Orangeburg west of Martin. (King Development Co.) 4:25 P.M.

ACTION: Ord. No. 1541-C.S. introduced (Dunlap/Elliott, unan) approving change. (Clerk to handle)

Res. 76-889 adopted (Dunlap/Elliott, unan.) approving development plan. (Planning to handle)

15. Matters for the good of the community. (These may be presented by interested persons in the audience) 4:30 P.M.

ACTION: Mayor Davies introduced Dick Lang, Bicentennial Committee Chairman.

Mrs. Louise Wilds and Reverend Floyd Trammel spoke about personnel problems in the H.C.D.A. program office. (C/Mgr to handle)

ORDINANCES

CONSENT

16. Final adoption of the following ordinances:  
(Motions adopting needed)

(a) Ord. No. 1534-C.S. amending Section 25-3-9 of zoning map.

ACTION: By motion, Ord. No. 1534-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1536-C.S. granting Thomson bus bench franchise.

ACTION: By motion, Ord. No. 1536-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

17. Consider approval of cooperative agreement with Stanislaus County on cost sharing of project to reconstruct and signalize the Scenic/Rose intersection.  
(Resolution approving agreement needed. Estimated cost \$215,000. Funds are budgeted)

ACTION: Res. 76-890 adopted approving agreement. (P/W to handle)

CONSENT

18. Consider converting alley bounded by 9th, H and I from one-way southeasterly to two-way.  
(Memo with agenda. Resolution amending Section 1(b) of Resolution 62-29 and rescinding Resolution 72-1305 needed. Funds are budgeted. Estimated cost \$25.00)

ACTION: Res. 76-891 adopted amending Section 1(b) of Resolution 62-20 and rescinding Resolution 72-1305. (P & T to handle)

CONSENT

19. Consider approval of final map of the Hyde 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.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located on the north side of Sylvan Avenue west of Rexford Drive. It contains 11.929 acres. Resolution approving final map needed)

ACTION: Res. 76-892 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider approval of the final map of Almond Tree subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.  
(The subdivision agreement has been signed and all fees paid. This subdivision is located north of Sylvan, west of Rexford Drive. It contains 10.234 acres. Resolution approving final map needed)

ACTION: Res. 76-893 adopted approving final map of Almond Tree Subdivision. (Clerk to handle)

21. Consider revised rates for sewer service charges.  
(Memo with agenda. Resolution adopting revised rates needed)

DROPPED FROM AGENDA

CONSENT

22. Consider sale of assets received by the City in settlement for outstanding debt in a bankruptcy case. (Imperial 400 National, Inc.) (Memo with agenda. Resolution accepting offer needed)

ACTION: Res. 76-894 adopted accepting offer of Vagabond Hotels, Inc. (Finance to handle)

REPORTS

CONSENT

23. Notice of P. G. & E. application to increase natural gas charges. (Memo with agenda. The increase will total 10.8% in two states and is to offset the increase in the price of gas ordered by the Canadian government. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

CONSENT

24. Quarterly report (April-June, 1976) from Greater Modesto Chamber of Commerce. (Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

APPROPRIATION TRANSFERS

CONSENT

25. Consider transferring funds for completion of garbage rate study by consultants. (\$5,000 was originally appropriated by Council for a study of garbage rates on May 17, 1976. All phases of this study were not completed at the close of fiscal year 1975-76. \$1,500 has been encumbered for this purpose as of June 30, 1976. The study is not completed and a carryover is not provided for in the current budget. An appropriation should now be established to finance the remainder of the consultant's work. Resolution approving transfer needed)

ACTION: Res. 76-895 adopted approving appropriation transfer of \$3,500 from Account (60-800-101) to Account 235-02-650-101. (Finance to handle)

MISCELLANEOUS

26. Legislation.

NONE

27. Appointments and/or resignations.

- (a) Resignation of Al Johnson from D.I.D. Advisory Board. (Resolution accepting with regret needed)

ACTION: Res. 76-896 adopted (Dunlap/Elliott, unan.) accepting with regret. (Clerk to handle)

- (b) Others.

ACTION: None

28. Matters too late for the agenda.

ACTION: By motion (Elliott/Mensing, unan.) request of D.I.D. and D.M.A. for use of City's reviewing stand for downtown concerts approved. (P & R to handle)

Councilmember Kullijian expressed the hope that the City can collect from people being arrested for damages to police vehicles incurred while arrests are being made.

Adjournment at 6:15 P.M. to the Sundial Restaurant for a study session concerning the proposed sign regulations.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

Modesto City Council  
Adjourned Regular Meeting  
July 19, 1976

The Council of the City of Modesto met pursuant to adjournment at 6:45 P.M. in the Sundial Restaurant, 806 McHenry Avenue, Modesto, California, for a study session concerning the proposed sign regulations.

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

The City Council studied the Planning Commission's recommendations pertaining to the revised sign ordinance.

The meeting adjourned at 9:15 P.M.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, JULY 26, 1976 AT 7:30 P.M.

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

Absent: None  
(Councilmember Newton arrived at 7:34 P.M.)

Pledge of allegiance to the Flag.

Invocation by Reverend Lloyd Menning, Paradise Community Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 6, 7, 8, 9,  
Item 16 and 23 removed from consent 10, 14, 17, 18, 19, 20, 21,  
Dunlap/Newton, unan. 22, 24, 25, 27

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of regular meeting of July 19, 1976 and adjourned regular meeting of July 19, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Request of Helen L. Lindgren to permit payments for sidewalk to be made over extended period.  
(Resolution permitting payment over a four-year period needed)

ACTION: Res. 76-897 adopted approving payment over a four-year period.  
(Finance to handle)

3. Letter from Home Builders offering assistance with McHenry Mansion restoration.

ACTION: Res. 76-898 adopted (Kullijian/Dunlap, unan.) accepting offer with appreciation. (Clerk to handle)

BIDS

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened August 24, 1976 for furnishing one new broom winding machine. (The broom winding machine will serve as a replacement for a shop made machine currently in service. Resolution authorizing call for bids needed. Estimated cost \$7,000. Funds are budgeted)

ACTION: Res. 76-899 adopted approving specifications and call for bids.  
(Finance to handle)

**CONSENT**

5. Approve plans and specifications and call for bids for construction of Standiford Avenue from Dale Road to M.I.D. Lateral No. 7. (Bid opening August 10, 1976 at 11:00 A.M. This project is the realignment of Standiford - Veneman Road from M.I.D. Lateral No. 7 to Dale Road. It is currently proposed as two lanes. It will ultimately be a four-lane road which will serve the Vintage Faire Shopping Center. This will be a joint City-County project. Resolution approving bid call needed. Estimated cost \$328,000 (Contract \$287,500; Engr. & Contgy. \$40,500). Funds are budgeted)

**ACTION:** Res. 76-900 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 Eastridge No. 6. (Suggested bid opening August 10, 1976 at 11:10 A.M. Cost and Revenue: Construction, \$44,309.25. Connection Charges, \$12,320.00; Net Revenue, \$974.00. Resolution approving bid call needed. Estimated cost \$44,309.25 (\$31,434.25, Const.; \$12,875, Engr. & Matls.). Funds are budgeted)

**ACTION:** Res. 76-901 adopted approving plans, specifications and bid call. (P/W to handle)

**CONSENT**

7. Consider acceptance of Hogin Bros. contract for construction of picnic area at Downey Park. (Original contract \$57,561. All work on this project has been completed to the satisfaction of the Parks Department and the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final contract cost \$59,199.80. Funds are budgeted)

**ACTION:** Res. 76-902 adopted accepting work as complete. (Clerk to handle)

**CONSENT**

8. Consider acceptance of Gib Goodrum's contract for Project No. 5 - replacement of curbs and drive approaches on Geer Court. (Original contract \$8,250. 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 record notice of completion. (Resolution accepting work as complete needed. Final cost, contract, \$8,250. Funds are budgeted)

**ACTION:** Res. 76-903 adopted accepting work as complete. (Clerk to handle)

**CONSENT**

9. Consider acceptance of Joe Martin's contract for construction of Woodland Avenue waterline, McWilliams Way to No. Emerald Avenue. (Original contract \$7,848.50. 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 record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$7,674.79. Funds are budgeted)

**ACTION:** Res. 76-904 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of the Flintkote Company's contract for reconstruction of alley in Block 69.  
(Original contract \$11,444. 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 record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$11,444. Funds are budgeted)

ACTION: Res. 76-905 adopted accepting work as complete. (Clerk to handle)

HEARINGS

11. Hearing on Phase 3 of Housing Element of General Plan. 7:30 P.M.

ACTION: Res. 76-906 adopted (Dunlap/Mensing, maj. - Kullijian, no) approving Phase 3 of Housing Element subject to amendments and additions thereto. (Planning to handle)

12. Hearing on amendments to Code pertaining to signs and related matters. 7:35 P.M.

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

By motion (Kullijian/Dunlap, unan. - Mensinger, absent) hearing continued to August 2, 1976 at 4:00 P.M. (Planning to handle)

Councilmember Newton was excused from meeting at 11:15 P.M.

13. Matters for the good of the community. 7:40 P.M.  
(These may be presented by interested persons in the audience)

ACTION: Louise Wilds, representing local branch of NAACP, requested an investigation regarding the conduct of the Housing and Community Development Program. (C/Mgr to handle)

ORDINANCES

CONSENT

14. Final adoption of the following ordinances:  
(Motions adopting needed)

(a) Ord. No. 1537-C.S. (Amending Section map 19-3-9, Andrade)

ACTION: By motion, Ord. No. 1537-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1538-C.S. (Amending Section map 16-3-9, Ralls)

ACTION: By motion, Ord. No. 1538-C.S. adopted. (Clerk to handle)

(c) Ord. No. 1539-C.S. (Amending Section map 26-3-9, Grant)

ACTION: By motion, Ord. No. 1539-C.S. adopted (Clerk to handle)

(d) Ord. No. 1541-C.S. (Amending Section map 19-3-9, King Development Co.)

ACTION: By motion, Ord. No. 1541-C.S. adopted. (Clerk to handle)

15. Final adoption of Ord. No. 1540-C.S. amending Section 5-4-9 of the zoning map. (Mutual Ownership Development Foundation)  
(Copy of petition from residents of the Roselawn-Colorado-Pelton area protesting adoption of this ordinance with agenda)

ACTION: By motion (Dunlap/Newton, unan.) this item considered before formal hearings.

By motion (Elliott/Dunlap, unan.) Ord. No. 1540-C.S. adopted.  
(Clerk to handle)

#### NEW BUSINESS

16. Consider County requested bus changes.  
(Memo with agenda. Changes involve a route extension and changes in bus frequencies on the McHenry Avenue, South Modesto and Airport District bus routes.  
(Motion approving changes needed)

ACTION: By motion (Mensing/Siefkin, unan. - Newton, absent) action delayed until after meeting of City-County Transportation Committee. (P & T to handle)

#### CONSENT

17. Request from Modesto Roadmen Bicycle Club for permission to conduct a bicycle race around Downey Park and Downey High School on Saturday, August 28, 1976.  
(Memo with agenda. Motion granting request needed)

ACTION: By motion, request approved. (P & R to handle)

#### CONSENT

18. Consider application to the California Council on Criminal Justice for funds to initiate a Community Service Officer Program within the Police Department.  
(Memo and copy of grant application with agenda. The grant application, if approved, would allow the City of Modesto to hire five (5) Community Service Officers (no peace officer status) to carry out and assist police officers in Crime Prevention Programs. The program would not be funded until July 1, 1977 so no city funds are needed until the 1977-78 fiscal year. Resolution authorizing City Manager to sign and submit application and agreeing to provide required matching funds needed. Estimated cost approximately \$5,000)

ACTION: Res. 76-907 adopted authorizing City Manager to sign and submit application and agreeing to provide matching funds. (Police to handle)

#### CONSENT

19. Consider initiation of Street Light Improvement District to light McHenry Avenue from Briggsmore to the north city limits.  
(Memo with agenda. Motion approving recommendation needed. Estimated cost \$114,000. Funds are budgeted)

ACTION: By motion, initiation of Improvement District approved. (P/W to handle)

#### CONSENT

20. Improvement of Oakdale Road frontage at the Pierini property.  
(Memo with agenda. Resolution authorizing issuance of purchase order needed. Estimated cost: Construction, \$4,132; Engr., \$200.00; Total, \$4,332. Funds are budgeted)

ACTION: Res. 76-908 adopted authorizing issuance of purchase order to improve Pierini frontage on Oakdale Road. (P/W to handle)

CONSENT

21. Consider new lease agreement between City of Modesto and Pacific Aircraft Service at the Modesto City-County Airport/Harry Sham Field. (Memo with agenda from Airport Manager to Director of Public Works. Resolution approving agreement needed)

ACTION: Res. 76-909 adopted approving agreement. (P/W to handle)

CONSENT

22. Consider approval of final map of Havenbrook Park #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. (The subdivision agreement has been signed and all fees paid. This subdivision is located north of E. Orangeburg Avenue, west of Lakewood Avenue. It contains 7.887 acres. Resolution approving final map needed)

ACTION: Res. 76-910 adopted approving final map. (Clerk to handle)

23. Consider approval of final map of Flintridge Estates 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. (The subdivision agreement has been signed and all fees paid. Flintridge Estates No. 3 subdivision is located on the south side of East Orangeburg Avenue, west of Rimrock Way. It contains 19.652 acres. Resolution approving final map needed)

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

Res. 76-911 adopted (Kullijian/Dunlap, unan. - Mensinger and Newton, absent) approving final map. (Clerk to handle)

CONSENT

24. Consider agreement with J/F Aviation for Air Taxi Operation at the Modesto City-County Airport/Harry Sham Field. (J/F Aviation proposes to operate light aircraft for the purpose of carrying air cargo for hire. Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 76-912 adopted approving agreement. (P/W to handle)

CONSENT

25. Agreement regarding golf carts.

- (a) Amendment to existing contract with golf pro to eliminate reference to retaining a percentage of the golf cart fees. (Resolution amending existing contract with golf pro needed)

ACTION: Res. 76-913 adopted approving amendment to existing contract with golf pro. (P & R to handle)

- (b) New agreement with golf pro to handle the rental of new city-owned golf carts. (Resolution approving new agreement needed)

ACTION: Res. 76-914 adopted approving new agreement. (P & R to handle)

REPORTS

26. Consider revised rates for sewer service charges.  
(Memo with agenda. Resolution adopting revised rates needed)

ACTION: Res. 76-915 adopted (Siefkin/Dunlap, unan. - Newton, absent) approving revised rates for sewer service charges. (P/W to handle)

APPROPRIATION TRANSFERS

CONSENT

27. Consider transferring funds in the amount of \$5,550 for the purchase of a vehicle for the Parks and Recreation Department to be used as a replacement for a vehicle damaged in an accident.  
(Memo with agenda. Resolution authorizing transfer of funds from 512-60, General Fund to 5446-480-512, P/W Service, needed)

ACTION: Res. 76-916 adopted approving appropriation transfer of of \$5,550.00 from Account 60-512 to Account 5446-480-512. (Finance to handle)

MISCELLANEOUS

28. Legislation.

NONE

29. Appointments.

NONE

30. Matters too late for the agenda.

ACTION: Res. 76-917 adopted (Siefkin/Mensing, unan. - Newton, absent) urging President and others involved in negotiations to bring strike of cannery workers to a conclusion and authorizing Mayor to address letters to the appropriate people. (C/Atty to handle)

Adjournment at 12:45 A.M.

ATTEST: Pauline P. Stanley  
PAULINE P. STANLEY  
Acting City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 2, 1976 AT 4:00 P.M.

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

Absent: None

(Councilmember Elliott arrived at 4:02 P.M., Council-  
member Mensinger arrived at 4:15 P.M. and Councilmember  
Newton arrived at 4:27 P.M.)

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 8,  
Item 22 removed from consent 14, 15, 17, 18, 19, 20, 23, 24,  
(Dunlap/Kullijian, unan. - Mensinger 25, 26  
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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of regular meeting of July 26, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Letter from Clarkson B. Bradford, Jr. regarding closure of road emptying into Alma Avenue at the corner of Lois Avenue.  
(Motion referring to staff for report needed)

ACTION: By motion, referred to staff. (Police to handle)

BIDS

CONSENT

3. Consider approval of plans and specifications and call for bids for construction of storm drainage lift station at El Vista and Encina. (Suggested bid opening date August 17, 1976 at 11:10 A.M. This has been budgeted to pump the storm drainage from this area into the M.I.D. irrigation facilities. Resolution approving bid call needed. Estimated cost \$13,700 (\$13,000 Const.; \$700 Engr.) Funds are budgeted in part. Transfer of funds to be requested later when bids are opened and exact price known)

ACTION: Res. 76-918 adopted approving plans, specifications and call for bids to be received 8-17-76 at 11:10 A.M. (P/W to handle)

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened September 7, 1976 at 2:00 P.M. for furnishing lathe equipment. (Equipment is part of the Capital Improvement Program to upgrade machine tools for the Public Works Service Division. Resolution authorizing call for bids needed. Estimated cost \$15,000. Funds are budgeted)

ACTION: Res. 76-919 adopted approving plans, specifications and call for bids to be received 9-7-76 at 2:00 P.M. (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 for the City of Modesto, Well No. 2 relocation. (Suggested bid opening August 17, 1976 at 11:00 A.M. This project will relocate existing Well No. 2 approximately 50 feet west of its present location on Poplar Avenue north of Needham. The existing pump station is scheduled for replacement. Resolution approving bid call needed. Estimated cost \$17,390 (\$13,390 Const; \$4,000 city forces, Engr. and Matls.) Funds are budgeted)

ACTION: Res. 76-920 adopted approving plans, specifications and call for bids to be received 8-17-76 at 11:00 A.M. (P/W to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for construction of waterlines in Bloomfield No. 1, Hyde Park No. 1 and North Hampton Park No. 3. (Suggested bid opening August 17, 1976 at 11:15 A.M.)
- |                     |               |              |                         |
|---------------------|---------------|--------------|-------------------------|
| Costs & Revenues:   | Bloomfield #1 | Hyde Park #1 | & North Hampton Park #1 |
| Construction:       | \$24,626.75   |              | \$23,509.75             |
| Connection Charges: | 8,580.00      |              | \$12,760.00             |
| Net Revenue:        | 679.00        |              | 1,009.00                |
- Estimated cost \$48,136.50 (\$30,257.50 Const.; \$17,879.00 Engr. & Matls.) Funds are budgeted. Resolution approving bid call needed)

ACTION: Res. 76-921 adopted approving plans, specifications and call for bids to be received 8-17-76 at 11:15 A.M. (P/W to handle)

CONSENT

7. Consider award of contract for construction of waterlines in Lincoln Manor No. 2 and Wyldewood Meadow No. 2. (Bids were opened July 27, 1976. The low bid of \$11,985.60 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 needed. Funds are budgeted. Estimated cost \$11,985.60)

ACTION: Res. 76-922 adopted awarding contract to Western Pipeline Co., Inc. (P/W to handle)

CONSENT

8. Consider acceptance of Mac's Backhoe Service's contract for construction of Chrysler Park Sewer Extension. (Original contract \$10,925. All work on this project has been completed to the satisfaction of the Parks Department and the Public Works Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$10,776.33. Funds are budgeted)

ACTION: Res. 76-923 adopted accepting work as complete. (Clerk to handle)

HEARINGS

9. Hearing, continuation of, to consider proposed amendments to Municipal Code pertaining to signs and related matters. 4:00 P.M.

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

Councilmember Kullijian introduced a resolution that a committee be appointed to study the sign ordinance which died for lack of a second.

Staff requested for outline of steps taken to get info. to Council on signs. (Planning to handle)

By motion (Dunlap/Siefkin, unan. - Mensinger, absent) to discuss proposed sign ordinance at the August 9 Council meeting.

10. Hearing, annexation of Sylvan No. 2 Addition to Modesto Municipal Sewer District No. 1. 4:00 P.M.

ACTION: Res. 76-923A adopted (Dunlap/Kullijian, unan.) annexing area to Modesto Municipal Sewer District No. 1. (Clerk to handle)

11. Hearing, application of Red Top Taxi for two additional cabs. 4:05 P.M.

ACTION: Res. 76-924 adopted (Elliott/Dunlap, unan. - Newton and Kullijian, absent) approving two additional cabs. (P & T to handle)

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

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

NONE

OLD BUSINESS

13. Further consideration of request of residents for modification of street lights on Enslin Park Court.  
(Memo with agenda. Motion directing staff. Estimated cost \$1,029.00. Funds are budgeted)

ACTION: By motion (Kullijian/Mensing, unan.) City to put in post top lamps. (P/W to handle)

CONSENT

14. Consider adoption of resolution of intention to continue revised rates for cable television service and set public hearing for August 23, 1976 at 7:30 P.M.  
(Report with agenda. Resolution setting hearing needed)

ACTION: Res. 76-925 adopted setting hearing on August 23, 1976 at 7:30 P.M. (Clerk to handle)

CONSENT

15. Consider approval of agreement with Richard Dunn for caretaking of McHenry Mansion.  
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 76-926 adopted approving agreement with Richard Dunn. (P/W to handle)

16. Proposals to improve management of storm drainage. (City's consulting engineer recently submitted his study of storm water management. The staff will explain the proposed actions to be taken which are the follow on of the consultant's study. A short oral presentation will be made at the Council meeting. Motion directing the staff to continue efforts to improve storm drainage needed)

ACTION: By motion (Kullijian/Dunlap, unan.) commending staff and directing that the efforts be continued. (P/W to handle)

CONSENT

17. Consider authorization to negotiate agreement with Duane D. Stone and Associates for the preparation of plans and specifications for construction of an addition at Fire Station No. 1. (The C.I.P. for 1976-77 contains funds for construction of a new truck bay/annex at Station No. 1. It is necessary to proceed with this project in order to provide facilities for the ladder truck that has been ordered previously. Memo with agenda. Resolution authorizing negotiation of agreement with Duane D. Stone and Associates needed. Estimated cost \$9,000.00. Funds are budgeted)

ACTION: Res. 76-927 adopted authorizing staff to negotiate agreement with Duane Stone. (P/W to handle)

CONSENT

18. Resolution setting rental rates for city-owned golf carts. (The City of Modesto has purchased twenty golf carts and it is necessary to establish the following rental rates for these carts for one year as outlined in the staff report at the time the Council authorized the purchase: \$8.00 for 18 holes; \$5.00 for 9 holes; \$13.00 for tournament use. Resolution setting rental rates needed)

ACTION: Res. 76-928 adopted setting rates. (P & R to handle)

CONSENT

19. Consider acceptance of improvements in Strathmore Village No. 2 subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods. (Subdivider Wolverine Building Service. This subdivision is located on the south side of Wylie Drive east of Rose 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. 76-929 adopted accepting improvements in Strathmore Village No. 2 Subdivision. (Clerk to handle)

CONSENT

20. Consider acceptance of improvements in Strathmore Village No. 1 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods. (Subdivider Wolverine Building Service. Strathmore Village No. 1 Subdivision is located east of Rose Avenue and south of Orangeburg 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. 76-930 adopted accepting improvements in Strathmore Village No. 1 Subdivision. (Clerk to handle)

21. 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 the submission of said Codes.  
(Memo with agenda. Resolution needed)

ACTION: Res. 76-931 adopted (Elliott/Mensing, unan.) designating agencies to submit conflict of interest codes. (C/Atty to handle)

22. Consider ordinance amending dog regulations of the Municipal Code.  
(Memo with agenda. Adoption of urgency ordinance and introduction of regular ordinance needed)

ACTION: By motion (Mensing/Dunlap, unan.) held over to August 9, 1976.  
(Clerk to handle)

#### APPROPRIATION TRANSFERS

##### CONSENT

23. Approval of appropriation transfer adjusting the 1976-77 Budget Adoption Report - Tuolumne River Regional Park Fund.  
(Memos with agenda. Resolution approving appropriation transfer of \$15,330 from Account 60-323 to 224-01-323 needed)

ACTION: Res. 76-932 adopted approving transfer of \$15,330 from Account 60-323 to Account 224-01-323. (Finance to handle)

#### REPORTS FROM THE PLANNING COMMISSION

##### CONSENT

24. Recommend vacation and abandonment of the 20-foot public alley which extends east from McHenry Avenue approximately 300 feet south of Robin Hood Drive - Rossini.  
(On July 20, 1976, the Planning Commission adopted Resolution No. 76-125 recommending to the Council the vacation and abandonment of the 20-foot alley which extends east from McHenry Avenue approximately 300 feet south of Robin Hood Drive. Resolution of Intention to vacate and abandon, and setting August 23, 1976 at 7:35 P.M. for public hearing needed)

ACTION: Res. of Int. 365 (1333-S.P.) adopted setting hearing. (Clerk to handle)

##### CONSENT

25. Recommend amendment to Section 7-3-9 of the zoning map - Bomberger Bros.  
(On July 20, 1976, the Planning Commission adopted Resolution 76-128 recommending an amendment to Section 7-3-9 of the zoning map to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located on the north side of Standiford Avenue, east of Carver Road. Resolution setting public hearing on August 23, 1976 at 7:40 P.M. needed)

ACTION: Res. 76-933 adopted setting hearing for 8-23-76 at 7:40 P.M.  
(Clerk to handle)

CONSENT

26. Recommend amendment to Section 8-3-9 of the zoning map - Prairie Joint Venture.

(On July 20, 1976, the Planning Commission adopted Res. 76-126 recommending to the Council an amendment to Section 8-3-9 of the zoning map to rezone a portion of P-D(125) to Professional Office, P-O Zone, property located at the northeast corner of Sherwood and Woodrow Avenues. Resolution setting August 23, 1976 at 7:45 P.M. for public hearing needed)

ACTION: Res. 76-934 adopted setting hearing for 8-23-76 at 7:45 P.M. (Clerk to handle)

MISCELLANEOUS

27. Legislation.

NONE

28. Appointments.

NONE

29. Matters too late for the agenda.

NONE

Adjournment at 7:47 P.M.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 9, 1976 AT 7:30 P.M.

Roll call Present: Councilmembers: Dunlap, Elliott, Kullijian, Mensinger,  
Newton, Siefkin, Mayor Davies  
Absent: Councilmembers: None  
(Councilmember Newton arrived at 7:43 P.M.)

Pledge of allegiance to the Flag.

Invocation by Bishop Bruce Vincent, Church of Jesus Christ of Latter Day Saints

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 9, 13, 14,  
Dunlap/Siefkin, unan. - Newton, absent 15, 16, 17, 18, 19, 20, 21, 22,  
23

(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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of August 2, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Letter from George H. DeMers requesting closure of walkway.  
(Motion referring to staff needed)

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

BIDS

CONSENT

3. Approve plans and specifications and call for bids for reconstruction of the Briggsmore Ave. and Rose Ave. intersection.  
(Bid opening August 31, 1976 at 11:00 A.M. This project involves the construction of a Briggsmore-Sunrise type intersection at Briggsmore Avenue and Rose Avenue. This is a joint City-County Project and is a much needed improvement for this location. Resolution approving plans and specifications and bid call needed. Funds are budgeted)

ACTION: Res. 76-935 adopted approving plans, specifications and bid call.  
(P/W to handle)

CONSENT

4. Approve plans and specifications and call for bids for asphalt concrete surfacing, various residential alleys, Project No. 5.  
(Suggested bid opening date August 31, 1976 at 11:10 A.M. This is the fifth 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. Resolution approving bid call needed. Funds are budgeted)

ACTION: Res. 76-936 adopted approving plans, specifications and bid call.  
(P/W to handle)

CONSENT

5. Consider acceptance of Mac's Backhoe Service's contract for construction of waterlines in Lakewood Gardens No. 2. (Original contract \$9,450. 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 record notice of completion. Resolution accepting work as complete needed. Contract cost, \$9,597.24 (Services: \$1,350; Main, \$8,247.24). Funds are budgeted)

ACTION: Res. 76-937 adopted accepting work as complete (Clerk to handle)

HEARINGS

6. Hearing, annexation of Lincoln No. 4 Addition to the City of Modesto. 7:30 P.M.

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

Res. 76-938 adopted (Elliott/Kullijian, unan. - Mensinger and Newton, absent) declaring no majority protest.

Ord. No. 1542-C.S. adopted (Elliott/Kullijian, unan. - Mensinger and Newton, absent) annexing Lincoln No. 4 Addition to City. (Clerk to handle)

7. Continued hearing on request for unclassified use permit to allow construction of a one and four story building expansion to Doctors' Hospital. 7:40 P.M.

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

Res. 76-939 adopted (Elliott/Kullijian, maj. - Siefkin, no - Mensinger, absent) approving request. (Planning to handle)

By motion (Siefkin/Kullijian, maj. - Dunlap and Mayor Davies, no) Staff to study P.O. zoning around Doctors' Hospital north of Orangeburg and report on the implications of full development of P.O. zoning in that neighborhood and the advisability of continuing it. (Planning to handle)

8. Matters for the good of the community. 7:45 P.M.  
(These may be presented by interested persons in the audience)

NONE

ORDINANCES

CONSENT

9. Ordinance amending the Dangerous Building Code and ordinance amending Housing Code.  
(See memos with agenda. Introduction of two ordinances needed)

ACTION: Ord. No. 1543-C.S. introduced amending Dangerous Building Code. (Clerk to handle)

Ord. No. 1544-C.S. introduced amending Housing Code. (Clerk to handle)

UNFINISHED BUSINESS

10. Consider requested bus changes.  
(This item was held over from July 26, 1976 meeting to allow discussion at the July 28, 1976 City-County Transportation Committee meeting. Councilmembers on Committee will report. Motion approving changes needed)

ACTION: By motion (Kullijian/Mensing, unan.) bus changes approved.  
(P & T to handle)

11. Consider ordinance amending dog regulations of the Municipal Code.  
(Adoption of urgency ordinance and introduction of regular ordinance needed)

ACTION: Ord. No. 1545-C.S. adopted (Mensing/Siefkin, unan.) amending dog regulations. (Emergency ordinance)

Ord. No. 1546-C.S. introduced (Mensing/Siefkin, unan.) amending dog regulations. (Clerk to handle)

12. Continued discussion of sign hearing.  
(Hearings held July 26 and August 2, 1976.)

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

(Councilmember Newton was excused at 11:00 P.M.)

By motion (Elliott/Kullijian, unan. - Mensinger and Newton, absent) to continue discussion to Monday, August 16, 1976 at 7:30 P.M.)

CONSENT

13. Consider adoption of resolutions providing for a special municipal election on November 2, 1976 as follows:

(a) A resolution proposing charter amendments on motion of the Council calling a special municipal election to be held on Tuesday, November 2, 1976, and consolidating said special municipal election with the general election of the State of California to be held on said date.

ACTION: Res. 76-940 adopted calling Special Municipal Election.

(b) A resolution of the Council of the City of Modesto requesting the Board of Supervisors of Stanislaus County to provide for the consolidation of a special municipal election with the State of California general election to be held on November 2, 1976.

ACTION: Res. 76-941 adopted requesting Board of Supervisors to consolidate Special Municipal Election with General Election to be held November 2, 1976.

(c) A resolution transmitting copy of proposed measures amending the City Charter to the City Attorney for preparation of impartial analysis. (Two memos with agenda. Adoption of three resolutions needed)

ACTION: Res. 76-942 adopted transmitting copy of proposed measures amending City Charter to the City Attorney. (Clerk to handle)

NEW BUSINESS

CONSENT

14. Demolition of substandard buildings at 1201 W. Roseburg owned by Mrs. Herbert Daniels.  
(Memo with agenda. Resolution directing staff to proceed with demolition needed. Resolution approving appropriation transfer of \$2,000 for demolition needed)

ACTION: Res. 76-943 adopted directing staff to proceed with demolition.  
(P/W to handle)

Res. 76-944 adopted approving appropriation transfer of \$2,000 from Account 60-101 to Account 241-42-101. (Finance to handle)

CONSENT

15. Consider approval of agreement for property outside the City at 722 South Avenue to connect to City water system. (Stanford P. and Lillyan R. Zorn)  
(The property is contiguous to the city limits and a water main exists to serve the property. Agreement requires that property owner will annex when requested to do so by City. Resolution approving agreement needed)

ACTION: Res. 76-945 adopted approving agreement. (Clerk to handle)

CONSENT

16. Consider approval of final map of Carver Glen 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, Bomberger Bros., Inc.)  
(The subdivision agreement has been signed and all fees paid. Carver Glen No. 2 Subdivision is located north of Standiford Ave., east of Carver Road. It contains 32.765 acres. Resolution approving final map needed)

ACTION: Res. 76-946 adopted approving final map of Carver Glen No. 2 Subdivision. (Clerk to handle)

CONSENT

17. Consider approval of final map of Sonoma 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: Troy L. Harris)  
(The subdivision agreement has been signed and all fees paid. This subdivision is located south of East Orangeburg and West of Sonoma Avenue. It contains 1.900 acres. Resolution approving final map needed)

ACTION: Res. 76-947 adopted approving final map of Sonoma Park Subdivision. (Clerk to handle)

CONSENT

18. Consider abandonment of right of way easement in Block 13357 of the City of Modesto.  
(Memo with agenda. Resolution vacating and abandoning 20' right of way easement in Block 13357 needed)

ACTION: Res. 1334-S.P. adopted vacating and abandoning 20' right of way easement in Block 13357. (Clerk to handle)

CONSENT

19. Consider agreement with Colburn's for the collection of payments for city water and sewer bills.  
(Memo with agenda. Resolution terminating present agreement and resolution authorizing new agreement with Colburn's, a partnership, needed)

ACTION: Res. 76-949 adopted waiving 30-day cancellation notice and approving cancelling present agreement with Colburn's Department Store.  
Res. 76-950 adopted approving agreement with Colburn's for the collection of payments for city water and sewer bills. (Finance to handle)

REPORTS

CONSENT

20. Set date for public hearing for annexation to City of uninhabited territory. (Carpenter-Elm Addition).  
(Resolution setting September 27, 1976 at 7:30 P.M. for public hearing needed)

ACTION: Res. 76-951 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

21. Consider transferring funds in the amount of \$4,700 to pay for professional services regarding Personnel Commission hearing. (John Miller).  
(Memo with agenda. Resolution authorizing transfer of funds from 101-60, General Reserve, to 235-090-101, Services, Professional and Other. Estimated cost \$4,000)

ACTION: Res. 76-952 adopted approving appropriation transfer of \$4,700 from Account 60-101 to Account 235-090-101. (Finance to handle)

CONSENT

22. Consider approval of appropriation transfer for 1976-77 FY premium for life insurance benefit for management and confidential employees to be effective August 1, 1976.  
(Resolution approving appropriation transfer needed - \$12,700 from Account 60-101 to 423-640-101)

ACTION: Res. 76-953 adopted approving appropriation transfer of \$12,700 from Account 60-101 to Account 423-640-101). (Finance to handle)

CONSENT

23. Request for appropriation transfer.  
(This transfer is necessary to pay for the rental of extra golf carts that are needed periodically for golf tournaments. This amount will be totally offset by revenue. Resolution approving appropriation transfer needed - \$2,880 from General Reserve to 216-380-101, Dryden Municipal Golf Course)

ACTION: Res. 76-954 adopted approving appropriation transfer of \$2,880 from Account 60-800-101 to Account 216-380-101. (Finance to handle)

MISCELLANEOUS

24. Legislation.

NONE

25. Appointments.

NONE

26. Matters too late for the agenda.

ACTION: Res. 76-955 adopted (Kullijian/Elliott, unan. - Newton, absent)  
approving agreement with Donald and Audrey Lang for caretakers  
of McClure House. (P/W to handle)

Adjournment at 11:20 P.M.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 16, 1976 AT 4:00 P.M.

Roll call Present: Dunlap, Elliott, Kullijian, Mensinger, Newton,  
Siefkin, Mayor Davies  
Absent: None  
(Councilmember Newton arrived at 4:14 P.M.)

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 6, 7, 9, 11,  
Items 10 and 18 removed from consent 12, 13, 14, 15, 16, 17, 19, 21  
Kullijian/Dunlap, 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)

APPROVAL OF MINUTES

CONSENT

1. Minutes of August 9, 1976 meeting.  
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT

2. Letter from Modesto Junior Chamber of Commerce requesting that City erect reviewing stand for Marching Band Festival, October 9, 1976.  
(Motion approving request needed)

ACTION: By motion, request approved. (P & R to handle)

CONSENT

3. Letter from Apostolic Full Gospel Tabernacle requesting permission to use city parks for religious services.  
(Motion approving recommendation needed)

ACTION: By motion, recommendation approved. (P & R to handle)

CONSENT

4. Letter from C. V. Sales, Modesto Cab Co., requesting rate increase.  
(Motion referring to staff for report needed)

ACTION: By motion, referred to staff for report. (P & T to handle)

5. Oral presentation by Henry Martin, N.A.A.C.P., regarding the Housing Program.

ACTION: Presentation made by Henry Martin.

## BIDS

### CONSENT

6. Consider award of contract for construction of Standiford Ave. from Dale Road to M.I.D. Lateral No. 7.  
(Bids were opened August 10, 1976. The low bid of \$197,080 submitted by the Flintkote Company is 31.44% 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 \$237,580 (Contract, \$197,080; Engr. & Contgy., \$40,500). Funds are budgeted)

ACTION: Res. 76-956 adopted awarding contract to The Flintkote Company.  
(P/W to handle)

### CONSENT

7. Consider award of contract for construction of waterlines in Eastridge No. 6.  
(Bids were opened August 10, 1976. The low bid of \$30,125.05 submitted by Joe Martin is 4% below the Engineer's Estimate and is considered acceptable. It is recommended that contract be awarded to him. Resolution awarding contract needed. Estimated cost \$30,125.05. Funds are budgeted)

ACTION: Res. 76-957 adopted awarding contract to Joe Martin. (P/W to handle)

## HEARINGS

8. Matters for the good of the community. 4:05 P.M.  
(These may be presented by interested persons in the audience)

NONE

## ORDINANCES

### CONSENT

9. Final adoption of Ordinance No. 1546-C.S. relating to dogs.  
(Motion with roll call vote needed)

ACTION: By motion, Ord. No. 1546-C.S. adopted. (Clerk to handle)

## UNFINISHED BUSINESS

10. Consider staff recommendation concerning preparation of swimming pool safety leaflet.  
(Memo with agenda. Motion authorizing staff to proceed with the preparation of the leaflet and to issue a requisition to Ed Boyle & Associates to do the work. Estimated cost \$420. Funds are budgeted)

ACTION: By motion (Dunlap/Siefkin, unan.) Councilmember Siefkin to work with the staff on the design of the pamphlet. (P/W to handle)

## NEW BUSINESS

### CONSENT

11. Consider new contract for bus drivers.  
(The contract with the Kenny Transportation will expire on October 31, 1976. It is suggested that bids be sought for a new contract. Memo with agenda. Motion authorizing staff to prepare new agreement for bidding purposes needed. Funds are budgeted in amount of \$369,539).

ACTION: By motion, staff authorized to prepare agreement. (P & T to handle)

CONSENT

12. Consider approval of amended California Dental Service agreement as provided for in the memoranda of understanding with the three employee associations.  
(Memo with agenda. Resolution approving implementation of amended CDS contract needed. Estimated cost increase, \$14,838.86. Funds are budgeted)

ACTION: Res. 76-958 adopted approving amendment to agreement with California Dental Service implementing dental insurance provisions outlined in memoranda of understanding with the three employee associations.  
(Personnel to handle)

CONSENT

13. Consider a letter agreement from Orrick, Herrington, Rowley & Sutcliffe whereby they agree to act as bond counsel for the City for assessment proceedings for Improvement District No. 23 - to light McHenry Avenue from Briggsmore to the north city limits.  
(This matter was discussed at the Council meeting of July 26, 1976 at which time the staff was authorized to proceed. A copy of the letter agreement with agenda. Resolution approving agreement needed)

ACTION: Res. 76-959 adopted approving agreement. (C/Atty to handle)

CONSENT

14. Consider common use agreement with M.I.D. and County on reconstruction of Briggsmore-Rose intersection.  
(Agreement specifies responsibilities of M.I.D., County and City in relation to the project and allows City and County to use M.I.D.'s land. Agreement is similar to earlier agreements on Briggsmore construction. Negative declaration with agenda. Resolution approving agreement and resolution certifying review of environmental assessment and directing the filing of a notice of determination of environmental impact needed)

ACTION: Res. 76-960 adopted approving agreement. (P/W to handle)

Res. 76-961 adopted directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

CONSENT

15. Consider acceptance of improvements in Briggsmore Place No. 2 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.  
(Developer: Bomberger Bros. This subdivision is located on the south side of Lancey Drive west of Oakdale Road. Resolution accepting improvements needed)

ACTION: Res. 76-962 adopted accepting improvements in Briggsmore Place No. 2.  
(Clerk to handle)

CONSENT

16. Consider resolution identifying effective date for bond redemption charge.
- (a) Letter from Stone Bros. regarding this charge.  
(Memo and letter with agenda. Resolution identifying effective date needed)

ACTION: Res. 76-963 adopted identifying effective date. (P/W to handle)

**CONSENT**

17. Consider submission of a grant application for federal assistance for the purchase of a fire crash rescue truck to serve the Modesto City-County Airport/Harry Sham Field.  
(The Federal Aviation Administration has notified the City that federal funds are available for the purchase of a fire crash rescue truck. Memo with agenda. Resolution approving submission of grant application for federal assistance needed)

ACTION: Res. 76-964 adopted approving submission of grant application.  
(P/W to handle)

18. Request for host homes for Philippines students.  
(Philippines students at M.J.C. participating in Philippines Agricultural Training Program are in need of host homes beginning August 21st for a period of ten weeks. Anyone interested should contact Mr. Eric LaJoure, Area Coordinator for the Philippines Agricultural Training Program, at Modesto Junior College, Department of Agriculture, 526-2000. No Council action needed)

ACTION: Mayor Davies announced that the homes are needed on August 21st and hopes people will open their homes. He asked Councilmember Dunlap to ask the Sister City Committee for assistance.

**CONSENT**

19. Notice of Western Union Application to raise charges.  
(Western Union has applied to the P.U.C. to raise charges by \$1.00 on telegrams and on money orders. Memo with agenda. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

REPORTS

20. Report on bike lanes in the vicinity of Beyer High School.  
(On July 19, 1976, the Council asked for a report on these bike lanes. Report with agenda. Motion accepting report needed)

ACTION: By Order of the Chair, City Manager is to take another look to see what could be done in the area. (C/Mgr and P & T to handle)

**CONSENT**

21. Report on traffic problems on McHenry Avenue, Grant, Lee, and adjacent streets.  
(Report with agenda. Motion referring to Planning Commission needed)

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

MISCELLANEOUS

22. Legislation.

NONE

23. Appointments.

NONE

24. Matters too late for the agenda.

NONE

Adjournment at 5:50 P.M. and return at 7:30 P.M. to discuss the proposed sign ordinance.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

CITY OF MODESTO

COUNCIL MEETING OF MONDAY, AUGUST 23, 1976 AT 7:30 P.M.

In the absence of the Mayor and Vice Mayor the City Clerk called the meeting to order. The roll call was as follows:

Present: None

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

Due to lack of a quorum the meeting was continued to Monday, August 30, 1976 at 7:30 P.M. Hearings scheduled for August 23, 1976 were continued to August 30, 1976.

HEARINGS

Hearing regarding revised rates for cable television - Cablecom General. 7:30 P.M.

Hearing on vacation and abandonment of 20' public alley which extends east from McHenry Avenue approximately 300' south of Robin Hood Drive. 7:35 P.M.

Hearing on amendment to Section 7-3-9 of zoning map to reclassify from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-2, property located on the north side of Standiford Avenue, east of Carver Road. 7:40 P.M.

Hearing, amendment to Section 8-3-9 of zoning map to rezone a portion of P-D(125) to Professional Office, P.O. Zone, property located at the northeast corner of Sherwood and Woodrow Avenues. (Prairie Joint Venture) 7:45 P.M.

Matters for the good of the community. 7:50 P.M.

ATTEST:

Norrine Coyle  
Norrine Coyle, City Clerk

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## MINUTES AND ACTION AGENDA

### CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, AUGUST 23, 1976 AT 7:30 P.M.  
ADJOURNED TO MONDAY, AUGUST 30, 1976 AT 7:30 P.M.

Roll call Present: Dunlap, Kullijian, Mensinger, Newton, Siefkin,  
Mayor Davies  
Absent: Elliott  
(Councilmember Newton arrived at 7:35 P.M.)

Pledge of allegiance to the Flag.

Invocation by Father John Gleeson, St. Stanislaus Catholic Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 5, 6, 7, 8, 9, 10,  
Item 21 removed from consent 11, 17(a), 17(b), 18, 19, 20,  
Item 25 dropped from agenda 22, 23, 24, 26, 27  
Dunlap/Siefkin, 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)

### APPROVAL OF MINUTES

#### CONSENT

1. Minutes of August 16, 1976 regular meeting; August 16, 1976 adjourned regular meeting.  
(Motion approving needed)

ACTION: By motion, minutes approved.

### WRITTEN COMMUNICATIONS

2. Letter from Elmer Winger on behalf of Modesto Senior Citizens, Inc. regarding proposed expansion of Senior Citizens Facilities.

ACTION: Albert Dunn spoke.

By motion (Mensinger/Dunlap, unan.) request referred to staff for report. (C/Mgr to handle)

#### CONSENT

3. Letter from Salvador Morales resigning from Cultural Commission.  
(Resolution accepting with regret needed)

ACTION: Res. 76-965 adopted accepting resignation with regret. (Clerk to handle)

4. Letters from Allen Grant, Chairman, Construction Industry Liaison Committee, regarding commercial zoning policy statement and rules for conduct of public hearing.  
(Memo with agenda)

ACTION: By Order of the Chair, Public Projects Committee is to review commercial zoning policy after land use review this fall, and rules for conduct of public hearings are to be tried by Planning Commission to see how they work out. (C/Mgr and Planning to handle)

BIDS

CONSENT

5. Consider award of contract for drilling, casing, testing and development of one deep well for the City of Modesto, Well No. 2 relocation. (Bids were opened August 17, 1976. The low bid submitted by Osterberg and Stewart is 2% above the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$13,613.50. Funds are budgeted)

ACTION: Res. 76-966 adopted awarding contract to Osterberg and Stewart. (P/W to handle)

CONSENT

6. Consider award of contract for construction of waterlines in Bloomfield No. 1, Hyde Park No. 1, and North Hampton Park No. 3. (Bids were opened August 17, 1976. The low bid of \$28,907 submitted by Joe Martin is 4% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$28,907. Funds are budgeted)

ACTION: Res. 76-967 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

7. Consider award of contract for construction of storm drain lift station at El Vista Ave. and Encina Ave. (Bids were opened August 17, 1976. The low bid of \$5,111 submitted by Chas. I. Cunningham Co. is 61% of the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$5,111. Funds are budgeted)

ACTION: Res. 76-968 adopted awarding contract to Chas. I. Cunningham Co. (P/W to handle)

CONSENT

8. Approve specifications and call for bids for 389 replacement parking meters. (Bid opening September 21, 1976 at 2:00 P.M. Memo with agenda. Resolution approving specifications and call for bids needed. Estimated cost \$16,338. Funds are budgeted)

ACTION: Res. 76-969 adopted approving specifications and call for bids. (P/T to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for construction of subtrunk sewer in Blue Gum Avenue from Foust Road 330 feet East. (Suggested bid opening September 14, 1976 at 11:00 A.M. This project will provide sewer service to the proposed Juvenile Justice Complex. Resolution approving bid call needed. Estimated cost \$8,950 (\$8,150 Const., \$800 Engr.) Funds are budgeted)

ACTION: Res. 76-970 adopted approving specifications and call for bids. (P/W to handle)

CONSENT

10. Consider acceptance of R & R Construction Co.'s contract for construction of waterlines in Flintridge Estates No. 2. (Original contract \$10,014. 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, \$9,658.60; (Main: \$8,908.60; Services, \$750). Funds are budgeted)

ACTION: Res. 76-971 adopted accepting the work as complete. (Clerk to handle)

CONSENT

11. Consider acceptance of William Mineni's contract for the McClure House repainting and reroofing. (Original contract \$12,383. 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 \$12,383. Funds are budgeted)

ACTION: Res. 76-972 adopted accepting the work as complete. (Clerk to handle)

HEARINGS

12. Hearing regarding revised rates for cable television - 7:30 P.M.  
Cablecom General.

ACTION: Res. 76-973 adopted (Dunlap/Siefkin, unan. - Elliott, absent) approving continuation of increased rates. (Clerk to handle)

13. Hearing on vacation and abandonment of 20' public alley 7:35 P.M.  
which extends east from McHenry Avenue approximately 300'  
south of Robin Hood Drive. (Rossini)

ACTION: Res. 1335-S.P. adopted (Mensingher/Dunlap, unan. - Elliott, absent) vacating and abandoning alley. (Clerk to handle)

14. Hearing on amendment to Section 7-3-9 of zoning map to 7:40 P.M.  
reclassify from Low Density Residential Zone, R-1, to  
Medium Density Residential Zone, R-2, property located  
on the north side of Standiford Ave., east of Carver Road.  
(Bomberger Bros.)

ACTION: Ord. No. 1547-C.S. introduced (Kullijian/Dunlap, unan. - Elliott, absent) amending Section 7-3-9. (Clerk to handle)

Res. 76-974 adopted (Kullijian/Dunlap, unan. - Elliott, absent) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

15. Hearing, amendment to Section 8-3-9 of zoning map to rezone a portion of P-D(125) to Professional Office, P.O. Zone, property located at the northeast corner of Sherwood and Woodrow Avenues. (Prairie Joint Venture) 7:45 P.M.

ACTION: Res. 76-975 adopted (Dunlap/Siefkin, maj. - Kullijian and Mayor Davies, no - Elliott, absent) denying request for rezoning. (Clerk to handle)

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

ACTION: Mrs. Louise Wilds, Henry Martin, Juanita Arterbridge, Silas Green and Wesley Jones spoke about the HCDA program and the Housing Conservationist position.

By motion (Kullijian/Newton, unan. - Elliott, absent) it was recommended that consideration be given by the staff to the desirability of making the desirable qualification of bilingualism of no consequence when considering applicants for the position of Housing Conservationist. (C/Mgr to handle)

CONSENT

17. Final adoption of the following ordinances:  
(Motion adopting needed)

(a) Ordinance No. 1543-C.S. relating to dangerous building code.

ACTION: By motion, Ord. No. 1543-C.S. adopted. (Clerk to handle)

(b) Ordinance No. 1544-C.S. relating to the Uniform Housing Code.

ACTION: By motion, Ord. No. 1544-C.S. adopted. (Clerk to handle)

CONSENT

18. Report on 1976-77 City assessed values and tax rates.  
(Report with agenda. Ordinance setting tax rates needed)

ACTION: Ord. No. 1548-C.S. adopted setting tax rates for 1976-77.  
(Clerk to handle)

NEW BUSINESS

CONSENT

19. Requirement for construction of curbs and/or sidewalks at the locations listed below. (Project No. 75/15/12 - 76/06/11)  
(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 7:35 P.M. September 27, 1976 for hearing needed)

(a) Curb and sidewalk at 119 and 121 Lane Street, portion of Lot 1 of Block 208. (Charles L. Ingram)

(b) Curb and sidewalk at 106 Lane St., Lot 25 and 26 of Block 210. (Eddie L. Brubaker)

(c) Curb and sidewalk along Lane St. at 102 Lane St., Lots 23 and 24 of Block 210. (Juventino Nevarez)

(d) Curb at 1313 Tuolumne Blvd., Lots 22 and 23 of Block 341. (Doyle J. Sonney)

CONSENT

19. (continued)

- (e) Curb at 510 - 12th St., Lots 21 and 22 of Block 97. (Frank Martino)
- (f) Curb along "F" St. at 1217 "F" St., Lots 15 and 16, Block 96. (Victoria Engquist)
- (g) Curb along 12th St. at 532 12th St., portion of Lot 31, Block 97. (William Hufschmid)
- (h) Curb along 12th St. at 502 12th St., Lots 17 and 18, Block 97. (O. L. Cypert)
- (i) Curb at 506 - 12th St., Lots 19 and 20, Block 97. (J. C. Herndon)
- (j) Curb at 2408 Budd St., Lot 7, Block 6342. (P.D. Wheeler)
- (k) Curb along Lane St. at 222 James St., Lot 1, Block 209. (Robert M. Sorensen)
- (l) Sidewalk along Stoddard Ave. at 250 Tully Road, Lots 4 thru 10, Block 444. (Gerald Schweitzer)
- (m) Sidewalk at 1617 Sunrise Ave., Lot 8, Block 1242. (Odie B. Bennett)
- (n) Sidewalk at 1611 Sunrise Ave., Lot 7, Block 1242. (Shirley A. Geiger)
- (o) Sidewalk along Sunrise Ave. at 1503 Sunrise Ave., portion of Block 1230. (Beulah List)
- (p) Sidewalk along Sunrise Ave. at 1605 Sunrise Ave., Lot 6, Block 1242. (Wilbert J. Paper Jr.)

ACTION: Res. 76-976 adopted setting hearings for September 27, 1976 at 7:35 P.M. (P/W to handle)

CONSENT

20. Consider approval of agreement between Hawke Flying Service, Standard Oil of California, and the City concerning aircraft refueling facilities at the Modesto City-County Airport/Harry Sham Field. (A new agreement has been prepared clarifying the rights and interest of Hawke Flying Service, Standard Oil of California, and the City. Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 76-977 adopted approving agreement. (P/W to handle)

21. Consider approval of project to reconstruct and widen Standiford Ave. from Lateral 7 to McHenry, and approval of negative declaration. (This project is carried in 76-77, 77-78 and 79-80 C.I.P.'s. Council approvals at this time are necessary to further process the negative declaration as prescribed for FHWA projects. Resolution approving project, and resolution approving negative declaration needed. Estimated cost \$807,000. Funds are budgeted)

ACTION: Res. 76-978 adopted (Kullijian/Newton, unan. - Elliott, absent) approving project. (P/W to handle)

Res. 76-979 adopted (Kullijian/Newton, unan. - Elliott, absent) approving negative declaration. (Clerk to handle)

CONSENT

22. Consider approval of a cooperative agreement between the United States Geological Survey and the City of Modesto to continue the cooperative Ground Water Study in the Modesto area.  
(The USGS is recommending the 1976-77 program include data collection of surface-water deliveries and field checking wells in the Greater Modesto Area. Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 76-980 adopted approving agreement. (P/W to handle)

CONSENT

23. Consider request for sewer service to property at 1414 Harris Ave. located on the southeast corner of Harris Ave. and Turner St.  
(Owners N. E. Millsaps and Lillian A. Millsaps 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. Not city funds are involved. Resolution approving agreement needed)

ACTION: Res. 76-981 adopted approving agreement. (Clerk to handle)

CONSENT

24. Consider agreement with Modesto Irrigation District for the dedication of right of way at Standiford Ave. and Dale Road in return for the City of Modesto installing street improvements.  
(Memo with agenda. Resolution approving agreement needed. Estimated cost \$1,400. Funds are budgeted)

ACTION: Res. 76-982 adopted approving agreement. (P/W to handle)

25. Consider amending City of Modesto alphabetical listing of classifications in City Service and increasing compensation for Housing Conservationist.  
(Salary range of Housing Conservationist to be upgraded to reflect labor market indications that proposed salary range will encourage better qualified and more experienced applicants. Memo with agenda. Adoption of resolution needed. Estimated cost \$1,058.88 for 24 pay periods. (Increase of \$44.12 biweekly.)

DROPPED FROM AGENDA

CONSENT

26. Consider approval of final map of the Wyldewood Meadow 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: Troy L. and Dorothy L. Harris. The subdivision agreement has been signed and all fees paid. Wyldewood Meadow No. 4 Subdivision is located south of East Orangeburg Ave., west of Claus Road. It contains 4.245 acres. Resolution approving final map needed)

ACTION: Res. 76-983 adopted approving final map. (Clerk to handle)

REPORTS

CONSENT

27. Submission of annual summary reports of activities of all city departments for fiscal year 1975-76.  
(Report attached. It is recommended by the City Manager that these reports be accepted as the City Manager's annual report on administrative activities of the City, as required by the City Charter. Motion accepting report needed)

ACTION: By motion, report accepted.

MISCELLANEOUS

28. Legislation.

ACTION: By motion (Kullijian/Dunlap, unan. - Elliott absent) AB 3275 opposed. (C/Mgr to handle)

29. Appointments.

ACTION: Res. 76-984 adopted (Mensingher/Dunlap, unan. - Elliott, absent) appointing Mrs. Ruth Smith to Culture Commission, replacing Salvadore Morales, for a term ending January 1, 1979. (Clerk to handle)

30. Matters too late for the agenda.

(a) Bus ridership promotion.

(Memo with agenda. Transit Committee recommends staff be authorized to prepare agreement with Ilium Associates to promote bus ridership. Estimated cost \$30,000. Appropriation transfer of funds to be requested when agreement is ready for approval.)

ACTION: By motion (Dunlap/Kullijian, maj. Mayor Davies, no - Elliott, absent) staff to prepare agreements. (P & T to handle)

(b) Consider approval of purchase order to reconstruct a portion of No. Conejo Avenue.

(Resolution needed. Estimated cost \$4,550. Funds are budgeted)

ACTION: Res. 76-985 adopted (Kullijian/Siefkin, unan. - Elliott, absent) approving purchase order. (P/W to handle)

(c) Appeal of Parkview Christian Estates, Inc. requesting informal public hearing to E.I.R. decision.  
(Resolution setting September 7, 1976 at 4:05 P.M. for informal public hearing needed)

ACTION: Res. 76-986 adopted (Newton/Siefkin, unan. - Elliott, absent) setting informal public hearing September 7, 1976 at 4:05 P.M. (Clerk to handle)

(d) Consider authorizing the City Manager to sign a new radio maintenance contract with Motorola Communications of Sacramento for radio maintenance on police equipment.

(Memo with agenda. Resolution authorizing City Manager to sign radio maintenance contract needed. Estimated Cost: \$6,642.72. Funds are budgeted)

ACTION: Res. 76-987 adopted (Siefkin/Mensingher, unan. - Elliott, absent) authorizing City Manager to sign contract. (Clerk to handle)

(e) Revision of Section 2-1.101. Regular meetings.

ACTION: Ord. No. 1549-C.S. introduced (Dunlap/Newton, unan. - Elliott, absent) revising Section 2-1.101. (Clerk to handle)

(f) Discussion of water wastage.

ACTION: By motion (Kullijian/Mensingher, unan. - Elliott, absent) staff to prepare a report on methods of enforcing the ordinance regarding water wastage for Council consideration. (P/W to handle)

Adjourned at 11:05 P.M.

ATTEST:

*Norrine Coyle*  
\_\_\_\_\_  
NORRINE COYLE, City Clerk

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8/30/76

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 7, 1976 AT 4:00 P.M.

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

Pledge of allegiance to the Flag.

Invocation by Reverend Donald Nelson, Centenary Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 5, 8, 9, 10, 11,  
Items 6, 7, 20, 22, 30, and 40 removed 12, 13, 14, 15, 16, 19(a), 19(b),  
from consent. 21, 23, 24, 25, 26, 28, 29, 31,  
Items 4, 27, 34, and 42 dropped from 32, 33, 35, 36(a), 36(b), 37, 38,  
agenda. 39, 43, 44, 45  
Kullijian/Siefkin, unan. - Dunlap, 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 August 30, 1976, adjourned meeting.  
(Motion adopting needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Letter from Beatrice Jones resigning from Modesto Human Rights Commission.  
(Resolution accepting with regret needed)

ACTION: Res. 76-988 adopted accepting resignation with regret. (Clerk to handle)

CONSENT

3. Letter from property owners in the 500 block of Virginia Avenue regarding sidewalks, curbs and gutters.  
(Motion referring to staff needed)

ACTION: By motion, letter referred to staff. (P/W to handle)

BIDS

4. Consider waiving formal bid procedures and authorize the purchase of one breathing air storage vessel from Rix Industries of Emeryville, California, for \$5,038.26.  
(Memo with agenda. Resolution waiving formal bid procedure and authorizing purchase. (five affirmative votes required.) Estimated cost \$5,038.26. Funds are budgeted)

DROPPED FROM AGENDA

CONSENT

5. Accept bid of Ben-Ko-Matic Brush & Equipment Co., Portland, Oregon, for one broom winding machine.  
(Memo with agenda. Resolution accepting bid needed. Estimated cost \$7,499.50. Funds are budgeted)

ACTION: Res. 76-989 adopted accepting bid of Ben-Ko-Matic. (Finance to handle)

6. Solicit bids for providing bus drivers.  
(The present contract expires on October 31, 1976. Soliciting bids for providing this service for five more years is recommended. Memo with agenda. Resolution approving bid call September 28, 1976 at 2:10 P.M. needed. Estimated cost \$219,000. Funds are budgeted)

ACTION: Res. 76-990 adopted (Kullijian/Siefkin, unan.) approving bid call. (P & T to handle)

By motion (Kullijian/Siefkin, unan.) staff requested to prepare a detailed addendum to the specs concerning fringe benefits for the bus drivers for council consideration. (P & T to handle)

7. Consider approval of specifications and authorize call for bids to be opened September 28, 1976 at 2:00 P.M. for furnishing materials and services for planting trees for the Downtown Modesto Beautification Project.  
(Memo with agenda. Resolution authorizing call for bids needed. Estimated cost \$45,000. Appropriation transfer to be requested when exact costs of services and materials are known)  
(Kullijian/Mensingler, unan. - Dunlap, Elliott, Newton, ab.)

ACTION: Res. 76-991 adopted/approving specifications and call for bids. (Finance and P & R to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for improvement of Elk Parking parking lot.  
(Suggested bid opening date September 21, 1976, at 11:00 A.M. This project is proposed to improve the condition of the existing parking lot. Resolution approving bid call needed. Estimated cost \$17,000 (\$16,100 Constr., \$900 Engr.) Funds are budgeted)

ACTION: Res. 76-992 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

9. Approve plans and specifications and call for bids for street light modernization Phase 7 Stage 2, 1976-77.  
(Bid opening date September 28, 1976 at 11:00 A.M. The project is located in the La Loma area between Yosemite Blvd. and Roble Ave. and Rosina Ave. and Santa Cruz Ave.; also between Cuesta Ave. and Kewin Park and Santa Rose Ave. and Dry Creek. We will be installing 38 new street lights and replacing 29 existing luminaires with 120 volt low voltage M.V. luminaires. This project will bring the street lighting in this area up to current city standards. Resolution approving bid call needed. Estimated cost \$98,400 (Contract \$91,550; Engr. & Incid. \$6,850). Funds are budgeted)

ACTION: Res. 76-993 adopted approving plans, specifications and bid call. (P/W to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for HCDA removal of architectural barriers and replace returns DBC area at various locations in the City of Modesto.  
(Suggested bid opening date September 28, 1976 at 11:10 A.M. This project will replace old vertical curb with wheelchair ramps at pedestrian crosswalks. Resolution approving bid call needed. Estimated cost \$12,127.50 (\$11,550 Const.; \$577.50, Engr.). \$34,072.50 (\$32,450, Const., \$1,622.50 Engr.) Funds are budgeted)

ACTION: Res. 76-994 adopted approving plans, specifications and bid call.  
(P/W to handle)

CONSENT

11. Consider approval of plans, specifications and call for bids for construction of waterlines in Havenbrook Park No. 4 and Wyldewood Meadows No. 3.  
(Suggested bid opening September 21, 1976 at 11:10 A.M. Costs and Revenues, Havenbrook Park No. 4: Construction, \$11,590; Connection charges, \$6,600; Net revenues, \$522. Wyldewood Meadows #3: Construction \$9,740; connection charges, \$2,420; Net revenues, \$191. Resolution approving bid call needed. Estimated cost \$21,330 (Constr., \$17,951; Eng. & Matls., \$3,379). Funds are budgeted)

ACTION: Res. 76-995 adopted approving plans, specifications and bid call.  
(P/W to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids to replace sewer lines in College View Tract.  
(Suggested bid opening September 21, 1976 at 11:15 A.M. This project will replace existing sewer lines which are root infested and have been a maintenance problem. Resolution approving bid call needed. Estimated cost \$34,180 (\$32,580, Const.; \$1,600 Engr.) Funds are budgeted)

ACTION: Res. 76-996 adopted approving plans, specifications and bid call.  
(P/W to handle)

CONSENT

13. Consider award of contract for the reconstruction of the Briggsmore Avenue and Rose Avenue intersection.  
(Bids were opened August 31, 1976. The low bid of \$302,788.50 submitted by the Flintkote Company is 4.67% 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 \$317,788.50 (Contract \$302,788.50; Engr. \$15,000) Funds are budgeted)

ACTION: Res. 76-997 adopted awarding contract to The Flintkote Company.  
(P/W to handle)

CONSENT

14. Consider accepting contract for construction of traffic signals at Carpenter and Blue Gum.  
(The work has been satisfactorily completed. It is in order to authorize the City Clerk to file notice of completion. Memo with agenda. Resolution accepting contract needed. Final contract cost \$19,800. Funds are budgeted)

ACTION: Res. 76-998 adopted accepting contract as complete. (Clerk to handle)

**CONSENT**

15. Consider acceptance of George Reed, Inc.'s contract for Project #6 - replacement of drive approaches on Sunrise and alley approaches on East Morris.  
(Original contract \$12,000.00. 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 a notice of completion. Resolution accepting work as complete needed. Final cost \$12,225. Funds are budgeted)

ACTION: Res. 76-999 adopted accepting work as complete. (Clerk to handle)

**CONSENT**

16. Consider acceptance of Matteson Construction Co.'s contract for construction of police parking lot addition.  
(Original contract \$18,891. 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, \$19,118. Funds are budgeted)

ACTION: Res. 76-1000 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

17. Informal hearing on appeal of Parkview Christian Estates, Inc. to decision rendered by Environmental Assessment Committee requiring an environmental impact report for development on the east side of Napier Drive, north of Rumble Road. 4:05 P.M.

ACTION: Res. 76-1001 adopted (Mensingher/Kullijian, unan. - Dunlap, Elliott, and Newton, absent) reversing decision of the Environmental Assessment Committee. (Clerk to handle)

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

NONE

ORDINANCES

**CONSENT**

19. Final adoption of the following ordinances:  
(a) Ord. No. 1547-C.S. amending Section Map 7-3-9 (Bomberger Bros., Inc.)  
(Motion with roll call vote required)

ACTION: By motion, Ord. No. 1547-C.S. adopted. (Clerk to handle)

**CONSENT**

- (b) Ord. No. 1549-C.S. - relating to council meetings.  
(Motion with roll call vote required)

ACTION: By motion, Ord. No. 1549-C.S. adopted. (Clerk to handle)

20. Consider ordinance which establishes the policy on storm drain systems and implementing a resolution setting a \$1,230 rock well maintenance and replacement fee.  
(Memo with agenda. Introduction of ordinance needed)

ACTION: Motion introducing ordinance (Siefkin/Mensingher, - Kullijian, no - Dunlap, Elliott, and Newton, absent) failed to pass.

By motion (Kullijian/Mensingher, unan.) to bring proposed ordinance back to Council with detailed information on costs. (P/W to handle)

UNFINISHED BUSINESS

CONSENT

21. Consider approval of agreement with Duane D. Stone and Associates for the preparation of plans and specifications for construction of an annex at Fire Station No. 1.  
(On July 23, 1976 the Council authorized negotiations with Duane D. Stone for preparation of plans and specifications for an annex at Fire Station No. 1. These negotiations have been completed and it is recommended that the agreement be approved. Resolution approving agreement with Duane D. Stone and Associates needed. Estimated cost: \$132,970, construction; \$11,302.45, architectural fee. Funds are budgeted)

ACTION: Res. 76-1002 adopted approving agreement with Duane D. Stone and Associates. (P/W to handle)

NEW BUSINESS

22. Consider approval of agreement with Tempo Homes, Inc., for the purchase of 3.115+ acres of right of way for the Standiford, Lateral 7 to Dale project.  
(Memo with agenda. Resolution approving agreement needed. Estimated cost Land, \$31,150; Escrow costs, \$350, total, \$31,500. Funds are budgeted)

ACTION: By motion (Mensingher/Siefkin, unan.) staff to report at next Council meeting on the effect of the Standiford Ave. improvement on values of the adjoining property, what the zoning is in the area, and possible future uses. (Planning to handle)

CONSENT

23. Consider approval of lease agreement with Don L. Thiel for a portion of the old police building lot on 10th St.  
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 76-1003 adopted approving agreement with Don L. Thiel.  
(P/W to handle)

CONSENT

24. Consider agreement with Guideline Industries to provide a courtesy telephone dialing system and advertising display cases at the Modesto City-County Airport/Harry Sham Field.  
(An agreement has been negotiated with Guideline Industries to provide the courtesy telephone dialing system and display cases at no cost to the City with commissions to be paid on an escalating basis. Memo with agenda. Resolution authorizing City Manager to execute agreement needed)

ACTION: Res. 76-1004 adopted approving agreement with Guideline Industries.  
(P/W to handle)

CONSENT

25. Consider approval of fixed base operator lease with Ace Aeromotive at the Modesto City-County Airport/Harry Sham Field.  
(A new 3-year lease has been negotiated with Ace Aeromotive. Memo with agenda. Resolution approving lease agreement needed)

ACTION: Res. 76-1005 adopted approving agreement with Ace Aeromotive.  
(P/W to handle)

CONSENT

26. Consider approving agreement authorizing City to regulate parking on state highways.  
(Memo with agenda. Approval of agreement would be beneficial to City and State. Resolution approving agreement needed)

ACTION: Res. 76-1006 adopted approving agreement with State. (P & T to handle)

27. Consider approval of agreement of consent to common use between the City of Modesto and the Pacific Telephone and Telegraph Company for an existing trunk sewer easement and authorize the City Manager to execute on behalf of City.  
(The agreement provides for the common use of City's existing trunk sewer easement for the installation of underground cables by the Pacific Telephone and Telegraph Company. Resolution approving agreement needed)

DROPPED FROM AGENDA

CONSENT

28. Consider approval of sewer agreement with Pepsi Cola Bottling Co. on River Road.  
(Pepsi Cola has constructed a sewer line and lift station to service their property on River Road. This agreement provides for the adjacent properties which can use the sewer facilities constructed to pay their fair share. No city funds are involved. Resolution approving agreement needed)

ACTION: Res. 76-1007 adopted approving agreement with Pepsi Cola Bottling Co. (P/W to handle)

CONSENT

29. Consider request for water service to property outside city limits at 923 South Franklin Street and 921 South Franklin Street, located on the west side of Franklin Street between California Avenue and Briggs Avenue.  
(Owners Henry A. Hanna King and Jessie W. Hanna King have signed an agreement to annex when requested to do so by City. The property is contiguous to the City and a waterline exists to serve it. No city funds are involved. Resolution approving agreement needed)

ACTION: Res. 76-1008 adopted approving agreement. (Clerk to handle)

30. Consider approval of letter agreement with Ralph Anderson & Assoc. providing for completion of a garbage rate review.  
(Memo with agenda. Resolution authorizing Manager to sign letter agreement and resolution approving appropriation transfer of \$4,500 needed)

ACTION: Res. 76-1009 adopted (Siefkin/Kullijian, unan. - Dunlap, Elliott and Newton, absent) approving letter agreement with Ralph Anderson & Assoc. (P/W and Finance to handle)

Res. 76-1010 adopted (Siefkin/Kullijian, unan. - Dunlap, Elliott and Newton, absent) approving appropriation transfer of \$4,500 from Account 60-800-101 to Account 235-02-650-101). (Finance to handle)

CONSENT

31. Consider declaring equipment #50311, a 1942 vintage tractor/dozer, surplus to the City's needs and authorizing the Purchasing Officer to advertise and sell to the highest bidder. A report of the final disposition will be made to Council when the transactions are completed.  
(Memo with agenda. Resolution authorizing Purchasing Officer to advertise and sell tractor needed)

CONSENT

31. (continued)

ACTION: Res. 76-1011 adopted authorizing Purchasing Officer to advertise and sell tractor. (Finance to handle)

CONSENT

32. Consider abandonment of a public utility easement in Block 12408, Sherwood Manor No. 3 Subdivision, City of Modesto.  
(Resolution vacating and abandoning public utility easement in Block 12408, Sherwood Manor No. 3 needed)

ACTION: Res. 1336-S.P. adopted vacating and abandoning public utility easement. (Clerk to handle)

CONSENT

33. Resolution withdrawing Lincoln No. 4 Addition from the Empire Fire District.  
(This addition was annexed to the City effective August 19, 1976. Resolution withdrawing Addition from fire district needed)

ACTION: Res. 76-1012 adopted withdrawing Lincoln No. 4 Addition from the Empire Fire District. (Clerk to handle)

34. Resolution determining that the public interest and convenience require that Lincoln No. 4 Addition be annexed to Modesto Municipal Sewer District.  
(This addition was annexed to the City effective August 19, 1976. Resolution setting October 25, 1976 at 7:30 P.M. for hearing needed. (two-thirds affirmative vote required). Estimated cost \$25.00. Funds are budgeted)

DROPPED FROM AGENDA

CONSENT

35. Approve changes to Personnel Rules.  
(To implement changes in the Personnel Rules as agreed upon in the recent negotiations with the three employee associations as explained in attached memorandum to City Manager. Resolution approving changes needed)

ACTION: Res. 76-1013 adopted approving changes in Personnel Rules.  
(Personnel to handle)

36. Consider revising position classification plan and amending salary schedules and establishing compensation for new classifications effective September 7, 1976.

CONSENT

(a) Changes in classifications recommended in the Building Inspection Division of the Public Works Department Individual recommendations set forth in attached memorandum to the City Manager.  
(Adoption of two resolutions needed. Estimated cost \$32,650)

ACTION: Res. 76-1014 adopted revising Position Classification Plan.  
(Personnel to handle)

Res. 76-1015 adopted amending Exhibit "F" of Res. 76-858 entitled "A Resolution establishing salary schedules and fixing compensation for positions in the City service." (Personnel to handle)

36.  
CONSENT

- (b) Changes in classifications recommended as a result of spring audit of Position Classification Plan. Individual recommendations set forth in attached memorandum to the City Manager. (Adoption of two resolutions needed. Estimated cost \$9,459.96.)

ACTION: Res. 76-1016 adopted revising Position Classification Plan. (Personnel to handle)

Res. 76-1017 adopted amending Exhibit "F" of Res. 76-858 entitled "A Resolution establishing Salary Schedules and Fixing Compensation For Positions in the City Service". (Personnel to handle)

CONSENT

37. Notice of P. G. & E. application to adjust rates. (Memo with agenda. P. G. & E. has applied to the P.U.C. for authority to automatically adjust rates and charges to reflect gas exploration and development costs and revenues. It is recommended that this matter be left to the P.U.C. to decide. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

CONSENT

38. Consider rescinding Resolution No. 76-691 adopted by Council May 27, 1976 regarding development of an Air Quality Maintenance Plan for the Stanislaus Air Quality Maintenance Area and adopting a new resolution concerning the same matter as requested by the State Air Resources Board. (Memo with agenda. Resolution needed)

ACTION: Res. 76-1018 adopted regarding development of an Air Quality Maintenance Plan for the Stanislaus County Air Quality Maintenance Area. (P/W to handle)

CONSENT

39. Approval of final master plan - Revard Park. (Standiford No. 2). (Preliminary master plan was reviewed by Council at an earlier meeting in connection with the discussions of the Bodega Lane Road project. Motion approving final master plan for Revard Park needed)

ACTION: By motion, final master plan approved. (P & R to handle)

40. Consider resolution opposing EDA's Public Employment Act of 1976, Final Rules. (Staff recommends that Council communicate to federal legislators strong opposition to the final rules issued August 23, 1976 for the Public Employment Act of 1976. Memo with agenda. Resolution opposing needed)

ACTION: Res. 76-1019 adopted (Kullijian/Siefkin, unan. - Dunlap, Elliott and Newton, absent) opposing EDA's Public Employment Act of 1976, Final Rules. (C/Mgr to handle)

REPORTS

41. Progress report on Council request for appraisal of Lincoln School site. (Oral report will be made at the meeting. No council action needed)

- (a) Letter from William Rader, President, Modesto Affiliated Church Housing Corporation.

ACTION: After discussion, Manager directed to suggest a possible date for a meeting during which Council could discuss priorities. (C/Mgr to handle)

CONSENT

42. Recommend amendment to Section 23-3-9 of the zoning map - Horn Construction.  
(On August 17, 1976 the Planning Commission adopted Res. 76-144 recommending to the Council an amendment to Section 23-3-9 to rezone from Low Density Residential Zone R-1 to Medium High Density Residential Zone, R-3, property located on the west side of Lakewood Avenue between East Briggsmore and East Orangeburg Avenues. Resolution setting public hearing for September 27, 1976 at 7:40 P.M. needed)

DROPPED FROM AGENDA

CONSENT

43. County referral of open space contract applications.  
(No. 77-2464, Norton Enterprises (Max Norton), south side of Merle, 5/8 mile west of Claus; No. 77-2453, Ruth B. Kidd, north side Woodland, 997 feet east of Morse Road. Memos with agenda. Two resolutions expressing recommendation of opposition needed)

ACTION: Res. 76-1020 adopted expressing opposition to Open Space Contract Application No. 77-2464 - Norton Enterprises (Max Norton).

Res. 76-1021 adopted expressing opposition to Open Space Contract Application No. 77-2453 (Ruth B. Kidd). (Planning to handle)

APPROPRIATION TRANSFERS

CONSENT

44. Approve transfer to cover City's estimated costs for the Mitchell and Finch traffic signals.  
(Memo with agenda. Amount of transfer is \$26,300. Resolution approving transfer and authorizing deposit of City's estimated share with county needed. Estimated cost \$26,300)

ACTION: Res. 76-1022 adopted approving appropriation transfer of \$26,300 from Account No. 60-321 to Account 6011-560-321). (Finance to handle)

CONSENT

45. Request for appropriation transfer.  
(Due to an oversight, money was not encumbered from the 1975-76 appropriation, which lapsed June 30, 1976, to pay for bicentennial brochures. The 1975-76 appropriation included a sufficient balance to provide for this expenditure. Resolution approving transfer needed. Estimated cost \$318.

ACTION: Res. 76-1023 adopted approving appropriation transfer of \$318 from Account No. 60-800-101 to Account No. 464-610-101. (Finance to handle)

MISCELLANEOUS

46. Legislation.

NONE

47. Appointments.

ACTION: Res. 76-1024 adopted (Kullijian/Mensing, unan. - Dunlap, Elliott and Newton, absent) reappointing members to the Human Rights Commission, James Biever for a term ending 5/1/80, and Jim Richardson for a term ending 5/1/80, and appointing Anita Newton (replacing Bea Jones) for a term ending 5/1/77, and Walter Bregman (replacing Leon Zimmerman) for a term ending 5/1/80. (Clerk to handle)

47. Appointments, continued

ACTION: Res. 76-1025 adopted (Kullijian/Mensing, unan. - Dunlap, Elliott, and Newton, absent) appointing Marie Coe to Seat "2" as a member of the H.C.D.A. Rehabilitation Loan Pool Subcommittee (replacing Leon Zimmerman) for a term ending 6/30/79. (Clerk to handle)

48. Matters too late for the agenda.

ACTION: Res. 76-1026 adopted (Siefkin/Kullijian, unan. - Dunlap, Elliott and Newton, absent) rescinding Res. 76-175 and withdrawing Standiford-Tully No. 2 Addition from Salida and Woodland Fire Protection Districts. (Clerk to handle)

Adjourned to executive session at 6:30 P.M. to discuss a personnel matter and did not return to open meeting.

Adjournment at 6:30 P.M.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

CITY OF MODESTO MINUTES AND  
AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 13, 1976 AT 4:00 P.M.

In the absence of the Mayor and Vice Mayor the City Clerk called the meeting to order. The roll call was as follows:

Present: None

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

Due to lack of a quorum the meeting was continued to Monday, September 20, 1976 at 4:00 P.M. Hearings scheduled for September 13, 1976 were continued to September 20, 1976.

HEARINGS

Hearing on orders to repair alleys at the following locations:

4:05 P.M.

- (a) BLOCK 2 H Street/G Street - 1st Street/2nd Street
- (b) BLOCK 1238 E. Granger/Honeysuckle/Briggsmore
- (c) BLOCK 5322 Elm/Emerald/Laurel (E. leg)
- (d) BLOCK 6118 Pepperwood/Madrone - Tully/Linwood
- (e) BLOCK 6141 Albany/Stetson - W. Granger/Woodman
- (f) BLOCK 6706 Monte Carlo/Hawthorne/Monte Verde
- (g) BLOCK 6804 La Villa Rose Ct./Briggsmore/Enslin (W. leg)
- (h) BLOCK 12953 Windsor Ct./Hampshire/Windsor Ln. (W. leg)

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, SEPTEMBER 20, 1976 AT 4:00 P.M.  
AND ADJOURNED COUNCIL MEETING OF SEPTEMBER 13, 1976

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

Pledge of allegiance to the Flag.

Invocation: Mr. Donald L. Vance - First Christian Science Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9,  
Item 2 removed from consent. 10, 11, 12, 13, 14, 15, 16,  
Item 25 dropped from agenda. 17, 22, 24, 26, 27, 28, 30,  
Dunlap/Mensinger, unan., Elliott and 31, 32, 33, 34, 36, 37, 39,  
Newton, absent 40, 41

(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 August 23, September 7 and September 13, 1976 meeting.  
(Motion adopting needed)

ACTION: By motion, minutes approved.

2. Letter from Barbara Manrique resigning from the Modesto Human Rights Commission.  
(Resolution accepting with regret needed)

ACTION: Res. 76-1027A adopted (Mensinger/Siefkin, unan. - Elliott and Newton, absent) accepting resignation with regret. Lure Johnson spoke about the Delores Jones matter. (Clerk to handle)

CONSENT

3. Consider approval of specifications and authorizing call for bids to be opened October 5, 1976 at 2:00 P.M. for furnishing one 16-inch trailer-mounted brush chipper.  
(Equipment will replace pool equipment No. 70086. The current unit has exceeded its life expectancy and does not meet EPA and safety regulations regarding sound attenuation and employee protection. Resolution authorizing call for bids needed. Estimated cost \$7,000. Funds are budgeted)

ACTION: Res. 76-1027 adopted approving plans, specifications and bid call.  
(Finance to handle)

CONSENT

4. Consider approving specifications and authorizing call for bids to be opened October 5, 1976 at 2:10 P.M. for furnishing two rake and vacuum machines.  
(Equipment is required to replace items currently on hand in the equipment pool. Resolution approving bid call needed. Estimated cost \$9,514. Funds are budgeted)

ACTION: Res. 76-1028 adopted approving specifications and bid call.  
(Finance to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for construction of irrigation system and planting at Fire Station No. 4.  
(Suggested bid opening date October 5, 1976 at 11:15 A.M. This landscaping has been budgeted to complement the appearance of Fire Station No. 4. Resolution approving plans, specifications and bid call needed. Estimated cost \$12,684 (\$12,155.50, Constr.; Engr. 528.50) Funds are budgeted)

CONSENT

5. (continued)

ACTION: Res. 76-1029 adopted approving plans, specifications and call for bids.) (Public Works to handle)

CONSENT

6. Consider approving specifications and authorize call for bids to be opened October 19, 1976 for furnishing two new putting green mowers.  
(Purchase of one mower will serve as a replacement for a like item currently in service as pool equipment. Purchase of the second mower will satisfy a new requirement generated by Parks & Recreation, and will not serve as a replacement. Resolution authorizing call for bids needed. Estimated cost \$6,745. Funds are budgeted.)

ACTION: Res. 76-1030 adopted approving specifications and bid call.  
(Finance to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for construction of water lines in Sonoma Park Subdivision.  
(Suggested bid opening October 5, 1976 at 11:00 A.M. Cost and Revenue: Construction, \$6,321.75. Connection charges, \$2,200.00; Net revenue, \$174.00. Resolution approving bid call needed. Estimated cost \$6,321.75 (\$4,691.75, Constr., \$1,630 Engr. & Matls.) Funds are budgeted)

ACTION: Res. 76-1031 adopted approving plans, specifications and bid call.  
(P/W to handle)

CONSENT

8. Consider award of contract for construction of subtrunk sewer in Blue Gum Avenue from Poust Road, 330 feet East.  
(Bids were opened September 14, 1976. The low bid of \$9,760 submitted by Western Pipeline Co., Inc., is 20% above the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. The Engineer's Estimate was based on costs for a similar project bid in June, and did not account for wage and cost increases since that time. Based on all bids submitted the low bid appears reasonable. Resolution awarding contract to Western Pipeline Co., Inc. needed. Estimated cost \$9,760. Funds are budgeted)

ACTION: Res. 76-1032 adopted awarding contract to Western Pipeline Co., Inc. (P/W to handle)

CONSENT

9. Consider declaring Rayco Industrial Supply the sole bidder and authorizing the purchase of one heavy duty drum lathe for \$9,886.98 and one metal lathe for \$3,601.77.  
(Memo with agenda. Resolution authorizing purchase needed. Estimated cost \$13,488.75. Funds are budgeted)

ACTION: Res. 76-1033 adopted authorizing purchase from Rayco Industrial Supply. (Finance to handle)

CONSENT

10. Consider waiving formal bid procedures and authorize the purchase of one breathing air storage vessel from Rix Industries of Emeryville, California, for \$5,038.26.  
(Memo with agenda. Resolution waiving formal bid procedure and authorizing purchase needed. Estimated cost \$5,038.26. Funds are budgeted. Five affirmative votes required.)

ACTION: Res. 76-1034 adopted waiving formal bid procedure and authorizing purchase from Rix Industries. (Finance to handle)

CONSENT

11. Consider waiving formal bid procedure and authorize purchase of one truck mounted gate valve operator from Hydraulic Energy Company, Inc., for the total price of \$4,536.80.  
(Memo with agenda. Resolution waiving formal bid procedure and authorizing purchase needed. Estimated cost \$4,536.80. Funds are budgeted. Five affirmative votes required.)

CONSENT

11. (continued)

ACTION: Res. 76-1035 adopted waiving formal bid procedure and authorizing purchase from Hydraulic Energy Company, Inc.  
(Finance to handle)

CONSENT

12. Consider acceptance of C. Dwaine Carver's contract for assembly and installation of equipment at Rose Avenue Park.  
(Original contract \$3,458. All work on this project has been completed to the satisfaction of the Public Works Department and the Parks and Recreation Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final cost \$4,908, construction. Funds are budgeted)

ACTION: Res. 76-1036 adopted accepting contract as complete.  
(Clerk to handle)

CONSENT

13. Consider acceptance of Matteson Construction Co.'s contract to remodel buildings 1, 2, and 3 at City Service Yard.  
(Original contract \$17,170. 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 record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$17,170. Funds are budgeted.)

ACTION: Res. 76-1037 adopted accepting contract as complete.  
(Clerk to handle)

CONSENT

14. Consider acceptance of Mac's Backhoe Service's contract for construction of waterlines in Persian Terrace No. 1.  
(Original contract \$20,191. 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 record notice of completion. Resolution accepting work as complete needed. Final, cost, contract, \$20,196.60. (Main: \$17,781.60; Services, \$2,415.) Funds are budgeted.)

ACTION: Res. 76-1038 adopted accepting contract as complete.  
(Clerk to handle)

CONSENT

15. Consider acceptance of Western Pipeline's contract for construction of waterlines in Briggsmore Place No. 2 and Sylvan Meadows East No. 3.  
(Original contract, \$24,371.50. 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 record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$23,676.44 (Main: \$21,630.44; Services: \$2,046.) Funds are funds are budgeted.)

ACTION: Res. 76-1039 adopted accepting contract as complete.  
(Clerk to handle)

CONSENT

16. Consider acceptance of J. L. Bray & Sons contract for construction of Fire Station at Carpenter & Blue Gum.  
(Original contract \$299,890. All work on this project has been completed to the satisfaction of the Public Works Department and the Fire Department. It would be in order to accept the work as complete and to record notice of completion. Resolution accepting work as complete needed. Final construction cost \$303,344.70. Funds are budgeted)

ACTION: Res. 76-1040 adopted accepting contract as complete.  
(Clerk to handle)

CONSENT

17. Consider acceptance of C. I. Cunningham's contract for construction of bicycle bridge at Magnolia Ave.  
(Original contract \$5,333. 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 record notice of completion. Resolution accepting work as complete needed. Final contract cost \$5,483. Funds are budgeted)

ACTION: Res. 76-1041 adopted accepting contract as complete.  
(Clerk to handle)

HEARINGS

18. Hearing on orders to repair alleys at the following locations: 4:05 P.M.

(a) Block 2, H Street/G Street - 1st Street/2nd Street.

ACTION: Res. 76-1042A adopted (Dunlap/Kullijian, unan. - Elliott and Newton, absent) ordering repair of alley.

(b) Block 1238, East Granger/Honeysuckle/Briggsmore.

ACTION: Res. 76-1042B adopted (Dunlap/Kullijian, unan. - Elliott and Newton, absent) ordering repair of alley.

(c) Block 5322, Elm/Emerald/Laurel (E. Leg).

ACTION: Res. 76-1042C adopted (Dunlap/Kullijian, unan. - Elliott and Newton, absent) ordering repair of alley.

(d) Block 6118, Pepperwood/Madrone - Tully/Linwood.

ACTION: Res. 76-1042D adopted (Dunlap/Kullijian, unan. - Elliott and Newton, absent) ordering repair of alley.

(e) Block 6141, Albany/Stetson - W. Granger/Woodman.  
Paul Methvin, 1607 and 1613 Albany, protested paving the alley.

ACTION: Res. 76-1042E adopted (Dunlap/Kullijian, unan. - Elliott and Newton, absent) ordering repair of alley and over-ruling protest.

(f) Block 6706, Monte Carlo/Hawthorne/Monte Verde.  
Barrett Newsom, 1909 Monte Carlo, and Shirley Selchow, 1117 Hawthorne, protested paving the alley. This alley dropped from Project No. 5.

(g) Block 6804, LaVilla Rose Court/Briggsmore/Enslin (W. leg).

ACTION: Res. 76-1042F adopted (Dunlap/Kullijian, unan. - Elliott and Newton, absent) ordering repair of alley.

(h) Block 12953, Windsor Court/Hampshire/Windsor Lane (W. Leg).

ACTION: Res. 76-1042G adopted (Dunlap/Kullijian, unan. - Elliott and Newton, absent) ordering repair of alley.

(P/W to handle)

19. Consider award of contract for asphalt concrete surfacing various residential alleys, Project No. 5.  
(Bids were opened August 31, 1976. The low bid of \$16,548.54 submitted by Manteca Construction Company is 17% 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 \$19,949. (Contr. 16,548.54; Engr. \$2,992.) Funds are budgeted.)

ACTION: Resolution 76-1043 adopted (Dunlap/Kullijian, unan. - Elliott and Newton, absent) awarding contract to Manteca Construction Company. (P/W to handle)

- 20A. Matters for the good of the community. 4:15 P.M.  
(These may be presented by interested persons in the audience.)

Carmen Sabatino spoke about the "lack of enforcement" of off-street parking landscaping provisions on Modesto Bee lot. Staff to prepare report for Council. (P/W to handle)

Randy Clark, President of Modesto Junior Chamber, spoke about the Town Meeting on September 25 and the Marching Band competition on October 9.

Louise Wilds and Henry Martin spoke about the Delores Jones matter.

#### UNFINISHED BUSINESS

20. Consider approval of agreement with Tempo Homes, Inc. for the purchase of 3.115<sup>+</sup> acres of right of way for the Standiford/Lateral 7 to Dale Project - additional staff report as requested by Council at its September 7, 1976 meeting.  
(Memo with agenda. Resolution approving agreement needed. Estimated cost, land, \$31,150; escrow costs, \$350; Total, \$31,500. Funds are budgeted.)

ACTION: Res. 76-1044 adopted (Kullijian/Dunlap, carried, Mensinger, No. - Elliott and Newton, absent) (Public Works to handle)

21. Consider ordinance which establishes the policy on storm drain systems, and implementing a resolution setting a \$1,230 rock well maintenance and replacement fee.  
(Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion (Kullijian/Dunlap, unan. - Elliott and Newton, absent) staff and interested people were requested to work on alternatives and come up with a plan, including a way in which those using rock wells would participate in the cost of maintenance and replacement, and report back in nine months. (P/W to handle)

#### NEW BUSINESS

##### CONSENT

22. Approve new agreement for operation of Parking Lot 12 (9th north of J, and accept pledges)  
(Memo with agenda. Landlord will pay all operating expenses and receive all income from meters and pledges. One pledge for \$125 per month has been received and an additional pledge of \$10 is expected. Resolution approving new agreement and resolution authorizing City Manager to accept pledges needed.)

ACTION: Res. 76-1045 adopted approving new agreement and authorizing City Manager to accept pledges. (Parking & Traffic to handle)

23. Designation of voting representative and alternate to League of California Cities Conference, October 17 - 20, 1976.

ACTION: By motion (Kullijian/Siefkin, unan. - Elliott and Newton, absent) Mayor Davies designated as Delegate and Councilmember Dunlap designated as alternate. (Clerk to handle)

##### CONSENT

24. Consider amendment to lease agreement with Dennis Simms for city-owned house at 645 No. McClure Road.  
(Memo with agenda. Resolution approving amendment needed.)

ACTION: Res. 76-1046 adopted approving amendment to agreement.  
(P/W to handle)

CONSENT

25. Consider authorization to negotiate agreement with Duane D. Stone and Associates for preparation of plans and specifications for construction of Fire Station No. 6.  
(The C.I.P. for 1976-77 contains funds for construction of Fire Station No. 6 to be located at Standiford Ave. and Dale Road. It is now necessary to proceed with this project in order to provide facilities for this area. Resolution authorizing negotiation of agreement needed. Estimated cost \$18,000. Funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

26. Consider sale of excess land in Block 432 to Ted C. and Patricia Ann Thorn.  
(Memo with agenda. Resolution approving sale and authorizing Mayor to execute Quitclaim Deed needed.)

ACTION: Res. 76-1047 adopted approving sale and authorizing Mayor to execute Quitclaim Deed. (Public Works to handle)

CONSENT

27. Consider sale of excess land in Block 6140 to Don H. and Ethel M. Watson.  
(Memo with agenda. Resolution approving sale and authorizing Mayor to execute Grant Deed.)

ACTION: Res. 76-1048 adopted approving sale and authorizing Mayor to execute Grant Deed. (P/W to handle)

CONSENT

28. Consider request for water service to property at 1331 Granite Lane located on the north side of Granite Lane between Carpenter Road and Emerald Avenue.  
(Oners Charles D. and Gwen R. Reynolds 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 involved. Resolution approving agreement needed.)

ACTION: Res. 76-1049 adopted approving agreement.  
(P/W to handle)

29. Consider approval of Agreement of Consent to Common Use between City of Modesto and Pacific Telephone for an existing trunk sewer easement and authorize City Manager to execute on behalf of City.  
(The agreement provides for the common use of City's existing trunk sewer easement for the installation of underground cables by Pacific Telephone. Resolution approving agreement needed.)

Prior to consideration of this item, Councilmember Mensinger was elected temporary Acting Mayor.

Mayor Davies was excused from consideration of Item 29 due to a conflict of interest.

ACTION: Res. 76-1050 adopted (Dunlap/Siefkin, unan. - Elliott, Newton, and Mayor Davies, absent) approving agreement with Pacific Telephone. (P/W to handle)

CONSENT

30. Resolution determining that the public interest and convenience require that Lincoln No. 4 Addition be annexed to Modesto Municipal District.  
(This addition was annexed to the City effective August 19, 1976. Resolution setting November 8, 1976 at 7:30 P.M. for hearing needed. (Two-thirds affirmative vote required.) Estimated cost \$25.00. Funds are budgeted.)

CONSENT

30. (continued)

ACTION: Res. 76-1051 adopted setting November 8, 1976 at 7:30 P.M. for hearing. (Clerk to handle)

CONSENT

31. Consider approval of revocable permit to the City of Modesto from Hetch Hetchy Water and Power to construct Longbridge Drive across Hetch Hetchy right of way and authorize City Manager to execute on behalf of the City of Modesto.  
(Longbridge Drive is a new street crossing of the Hetch Hetchy right of way. It is located east of Carver Road north of Standiford Avenue, in Hetch Hetchy Parcel No. 667, Stanislaus County. The \$75 permit fee is being paid by Bomberger Bros., Inc., developers of Carver Glen No. 2 Subdivision in which the new crossing lies. Resolution approving revocable permit and authorizing City Manager to execute on behalf of City needed.)

ACTION: Res. 76-1052 adopted approving revocable permit from Hetch Hetchy Water and Power and authorizing City Manager to execute. (P/W to handle)

CONSENT

32. Consider approval of final map of Park Place 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 Allen Grant, Inc. The subdivision agreement has been signed and all fees paid. Park Place No. 2 subdivision is located south of West Rumble Road and east of Conant Avenue. It contains 10.740 acres. Resolution approving final map needed.)

ACTION: Res. 76-1053 adopted approving final map of Park Place No. 2 subdivision. (Clerk to handle)

CONSENT

33. Renewal of Faithful Performance and Honesty Bonds for the period September 10, 1976 through September 10, 1979.  
(Memo with agenda. Resolution accepting low bid; resolution approving appropriation transfer; ordinance amending code needed. Estimated cost \$3,842. Fund in amount of \$2,741 budgeted; Appropriation transfer of \$1,081 requested)

ACTION: Res. 76-1054 adopted accepting low bid.  
Res. 76-1055 adopted approving appropriation transfer of \$1,081.  
Ord. 1550 C.S. introduced amending code. (Finance to handle)

CONSENT

34. Resolution setting public hearing relating to the adoption of a conflict of interest code for the City Council of the City of Modesto.  
(Memo with agenda. Adoption of resolution setting public hearing October 4, 1976 at 4:10 P.M. needed.)

ACTION: Res. 76-1056 adopted setting public hearing October 4, 1976 at 4:10 P.M. (Clerk to handle)

35. Request for approval for City Manager to sign grant applications to the Economic Development Administration for Public Work Funds.  
(Memo with agenda. Resolution granting City Manager approval to sign grant applications to EDA needed.)

ACTION: Res. 76-1057 adopted (Dunlap/Kullijian, unan. - Elliott and Newton, absent) granting City Manager approval to sign applications for EDA funds. (Manager) to handle)

**CONSENT**

36. Abandonment of Blue Gum Avenue crossing of the Southern Pacific Railroad.

(The City has previously agreed to take necessary action to abandon the crossing when the Briggsmore-Carpenter overpass is opened. The overpass is nearing completion and it would be in order to set a public hearing to consider the abandonment of the crossing. Resolution of intention to abandon crossing and setting October 11, 1976 at 7:35 P.M. for public hearing needed.)

**ACTION:** Res. of Int 366 and Res. of Special Proceedings 1337 S.P. adopted setting October 11, 1976 at 7:35 P.M. for public hearing to consider abandonment of Blue Gum Avenue crossing of the Southern Pacific Railroad. (Clerk to handle)

REPORTS

**CONSENT**

37. Report on Storer application to increase bus fares and express charges.

(Memo with agenda. Storer has applied to P.U.C. to increase fares and charges by 100% between Modesto and Oakdale and intermediate points. 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.

38. Recommend amendment to Section 23-3-9 of the zoning map - Horn Construction.

(On August 17, 1976 the Planning Commission adopted Res. 76-144 recommending to the Council an amendment to Section 23-3-9 to rezone from Low Density Residential Zone R-1 to Medium High Density Residential Zone, R-3, property located on the west side of Lakewood Avenue between East Briggsmore and East Orangeburg Avenues. Resolution setting public hearing for October 4, 1976 at 4:05 P.M. needed.) Councilmember Mensinger was excused due to a conflict of interest.

**ACTION:** Res. 76-1058 adopted (Siefkin/Dunlap, unan. - Elliott, Mensinger and Newton, absent) setting public hearing for October 4, 1976 at 4:05 P.M. (Planning to handle)

**CONSENT**

39. Presentation of financial statement for August 1976.

(Copies of report with agenda. Motion accepting report needed.)

**ACTION:** By motion, report accepted.

**CONSENT**

40. Second quarter report, April - June, 1976 on Ecology Action Curbside Recycling Program.

(The salvageable waste license issued to Ecology Action requires periodic reports on their activities. Their report for the second quarter of 1976 is submitted to Council indicating tonnages and income generated for that period. Motion acknowledging receipt of report needed.)

**ACTION:** By motion, receipt of report acknowledged.

APPROPRIATION TRANSFER

**CONSENT**

41. Consider appropriation transfer of \$995 for additional consultant service on Cable TV rate negotiations.

(Memo with agenda. Resolution approving letter agreement and resolution approving appropriation transfer needed.)

CONSENT

41. (Continued)

ACTION: Res. 76-1059 adopted approving letter agreement.

Res. 76-1060 adopted approving appropriation transfer of \$995.  
(Finance to handle)

MISCELLANEOUS

42. Legislation.

NONE

43. Appointments.

NONE

44. Matters too late for the agenda.

1. Mayor Davies mentioned some phone calls received from people about stores displaying adult magazines where children can see and reach them.

ACTION: By motion (Mensing/Siefkin, unan. - Elliott and Newton, absent) Mayor authorized to write to the retail stores expressing the Council's concern. (Manager to handle)

2. Proposed sign ordinance discussion.

ACTION: By motion (Dunlap/Kullijian, unan. - Elliott and Newton, absent) it was agreed the proposed sign ordinance discussion would be continued on Monday, October 4, 1976 at 7:30 p.m. (Clerk/Planning to handle)

3. Mayor Davies said he would have a meeting of the Council Appointments Committee set as soon as possible to discuss Human Rights Commission role and membership.

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, SEPTEMBER 27, 1976 AT 7:30 P.M.

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

Pledge of allegiance to the Flag  
Invocation by Reverend Charles Threewit - St. Paul's Episcopal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 4, 5, 6, 7, 11,  
Item 25 removed from consent 12, 13, 14, 15, 16, 17, 18, 19,  
Dunlap/Mensinger, unan. - Elliott, 20, 21, 22, 23, 24, 26  
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 the September 20, 1976 regular meeting and September 13, 1976 adjourned meeting.  
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT

2. Request from Western Pacific Railroad Company and General Foods Corporation requesting abandonment of Avenues A and B.  
(Motion referring to Planning Commission needed)

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

BIDS

CONSENT

3. Consider approving specifications and authorizing call for bids to be opened October 26, 1976 at 2:00 P.M. for furnishing one combination cable reel and pole trailer.  
(Resolution authorizing bid call needed. Estimated cost \$3,230. Funds are budgeted)

ACTION: Res. 76-1061 adopted approving specifications and bid call.  
(Finance to handle)

CONSENT

4. Consider approval of plans and specifications and call for bids for construction of waterlines in McHenry Ave. between Rumble Road and 850 feet north, Montecito Park and Wyldewood Meadow No. 4.  
(Suggested bid opening October 12, 1976 at 11:00 A.M.)

Costs & Revenues:	McHenry Ave.	Montecito Park	Wyldewood Meadow #4
Construction	\$10,684.25	\$34,112.20	\$7,282.50
Connection Chgs.		23,320.00	4,180.00
Net Revenue		1,845.00	331.00

(Resolution approving bid call needed. Estimated cost, \$52,078.95 (\$47,678.95, contract; \$4,400 Engr. & Matls.) Funds are budgeted)

ACTION: Res. 76-1062 adopted approving plans, specifications and bid call.  
(P/W to handle)

**CONSENT**

5. Consider award of contract for improvement of Elk Park Parking Lot. (Bids were opened September 21, 1976. The low bid submitted by Camanche Corp., which is 18% below the engineer's estimate, is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost, \$13,267.00. Funds are budgeted)

**ACTION:** Res. 76-1063 adopted awarding contract to Camanche Corp.  
(P/W to handle)

**CONSENT**

6. Consider award of contract for construction of waterlines in Havenbrook Park No. 4 and Wyldewood Meadows No. 3. (Bids were opened September 21, 1976. The low bid of \$16,334.00 submitted by Western Pipeline Company, Inc. is 9% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$16,334. Funds are budgeted)

**ACTION:** Res. 76-1064 adopted awarding contract to Western Pipeline Co.  
(P/W to handle)

**CONSENT**

7. Consider award of contract to replace sewer lines in College View Tract. (Bids were opened September 21, 1976. The low bid of \$27,543 submitted by Mac's Backhoe Service is 15% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$27,543. Funds are budgeted)

**ACTION:** Res. 76-1065 adopted awarding contract to Mac's Backhoe Service.  
(P/W to handle)

**HEARINGS**

8. Hearing on Carpenter-Elm uninhabited annexation to City of Modesto. 7:30 P.M.

**ACTION:** Res. 76-1066 adopted (Dunlap/Newton, unan. - Elliott, absent) declaring no majority protest made.

Ord. No. 1551-C.S. adopted (Dunlap/Newton, unan. - Elliott, absent) annexing area. (Clerk to handle)

9. Hearings on orders to construct curbs, gutters and/or sidewalks (Project No. 75/15/12 - 76/06/11) 7:35 P.M.

- (a) Curb and sidewalk at 119 and 121 Lane Street, portion of Lot 1 of Block 208. (Charles L. Ingram)

DROPPED FROM AGENDA

- (b) Curb and sidewalk at 106 Lane St., Lot 25 and 26 of Block 210. (Eddie L. Brubaker)

DROPPED FROM AGENDA

- (c) Curb and sidewalk along Lane St. at 102 Lane St., Lots 23 and 24 of Block 210. (Juventino Nevarez)

DROPPED FROM AGENDA

- (d) Curb at 1313 Tuolumne Blvd., Lots 22 and 23 of Block 341. (Doyle J. Sonney)

9. Hearings on orders to construct curbs, gutters and/or sidewalks, continued.

7:35 P.M.

- (e) Curb at 510 12th St., Lots 21 and 22 of Block 97. (Frank Martino)
- (f) Curb along "F" St. at 1217 "F" St., Lots 15 and 16, Block 96. (Victoria Engquist)
- (g) Curb along 12th St. at 532 12th St., portion of Lot 31, Block 97. (William Hufschmid)
- (h) Curb along 12th St. at 502 12th St., Lots 17 and 18, Block 97. (O. L. Cypert)
- (i) Curb at 506 12th St., Lots 19 and 20, Block 97. (J. C. Herndon)
- (j) Curb at 2408 Budd St., Lot 7, Block 6342. (P. D. Wheeler)
- (k) Curb along Lane St. at 222 James St., Lot 1, Block 209. (Robert M. Sorensen)
- (l) Sidewalk along Stoddard Ave. at 250 Tully Road, Lots 4 through 10, Block 444. (Gerald Schweitzer)
- (m) Sidewalk at 1617 Sunrise Ave., Lot 8, Block 1242. (Odie B. Bennett)  
DROPPED FROM AGENDA
- (n) Sidewalk at 1611 Sunrise Ave., Lot 7, Block 1242. (Shirley A. Geiger)
- (o) Sidewalk along Sunrise Ave. at 1503 Sunrise Ave., portion of Block 1230. (Beulah List)  
DROPPED FROM AGENDA
- (p) Sidewalk along Sunrise Ave. at 1605 Sunrise Ave., Lot 6, Block 1242. (Wilber J. Paper, Jr.)  
DROPPED FROM AGENDA

ACTION: Res. 76-1067 adopted/ordering work done. (Dunlap/Kullijian, unan. - Elliott, absent) (P/W to handle)

10. Matters for the good of the community.

7:40 P.M.

(These may be presented by interested persons in the audience)

ACTION: Louise Wilds spoke about the Delores Jones matter.

James Rose spoke about Modesto Garbage Co's. desire to pick up the fiberboard at Hahn Center. Staff to study the matter and report to Council. (P/W to handle)

Betty Carlson spoke about her son's desire to go to school in his wheelchair by riding in the street because of a lack of wheelchair ramps. By motion, staff directed to pursue the matter, both the legal ramifications and whether or not it can be done. (C/Atty to handle)

Mayor Davies introduced Henry Kamps of the Farm-City Advisory Committee, Steve Reise and John Williams of Boy Scout Troop 199 and Steve Biagini of Troop 14. Steve Biagini introduced his friend, Joel Acker, and his father, Jerry Biagini.

ORDINANCES

CONSENT

11. Final adoption of Ordinance 1550-C.S. relating to official bonds.  
(Motion with roll call vote needed)

ACTION: By motion, Ord. No. 1550-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

12. Consider acceptance of a grant offer from the Federal Aviation Administration for the purchase of a fire crash rescue truck for the Modesto City-County Airport/Harry Sham Field.  
(A grant offer dated September 17, 1976 has been received from the Federal Aviation Administration. It provides for the FAA, for and in behalf of the United States, to pay 90% of the allowable costs with a maximum obligation of \$176,715. The estimated City's and County's share of the cost is \$9,817.50 each. Funds are budgeted. See memo with agenda. Resolution accepting grant offer needed)

ACTION: Res. 76-1068 adopted accepting grant offer. (P/W to handle)

CONSENT

13. Consider joining in an amicus curiae brief to be filed by the Attorney General in Brown vs. County of Santa Barbara.  
(Memo with agenda. Motion authorizing participation by City of Modesto needed)

ACTION: By motion, participation authorized. (C/Atty to handle)

CONSENT

14. Consider approval of agreement between City of Modesto and Pacific Gas and Electric for standby natural gas service to Pump Station No. 42 and authorize City Manager to execute on behalf of City.  
(Pump Station No. 42 is located at the northwest corner of the Vintage Faire Shopping Center. The station has a standby natural gas engine, which will be used in case of a power failure. This agreement specifies conditions under which Pacific Gas and Electric Company will furnish gas for the standby engine. Resolution approving agreement needed. Estimated cost \$397 (PG&E's cost for installing gas facilities.) Funds are budgeted.

ACTION: Res. 76-1069 adopted approving agreement. (P/W to handle)

CONSENT

15. Consider request for sewer service to property outside the city limits on the northeast corner of Sutter Ave. and Garden Ave.  
(Property owners George L. Cooper and Ben P. Cooper have signed an agreement to annex when requested to do so by City. The property is contiguous to City. A sewer main exists to serve the property. No city funds are involved. Resolution approving agreement needed)

ACTION: Res. 76-1070 adopted approving agreement. (Clerk to handle)

CONSENT

16. Consider approval for City of Modesto to share street light improvement cost in Sylvan Meadows No. 2 Subdivision adjacent to Beyer Park.  
(Memo with agenda. Motion authorizing City to pay \$650.43 to Stone Bros. & Associates needed. Total cost, \$650.43. Funds are budgeted)

ACTION: By motion, payment authorized. (Finance to handle)

CONSENT

17. Resolution providing that Friday, December 24, 1976, and Friday, December 31, 1976 will be observed as holidays by the City of Modesto and providing that all city offices which are normally closed on city holidays will be closed on these days.  
(Resolution establishing holidays needed)

ACTION: Res. 76-1071 adopted establishing holidays on Friday, December 24, 1976 and Friday, December 31, 1976. (C/Mgr to handle)

CONSENT

18. Request from Modesto City Schools regarding Multipurpose Facilities. (Memo with agenda. Resolution authorizing City Manager to sign joint applications from Modesto City School District and City of Modesto for EDA funds for construction of two multipurpose buildings.)

ACTION: Res. 76-1072 adopted approving application for the construction of multi-purpose facilities at Mark Twain and Roosevelt Jr. High Schools. (C/Mgr to handle)

CONSENT

19. Report of Superintendent of Streets on the cost of installation of curbs and gutters and/or sidewalks at the locations listed below.  
(Resolution setting 4:05 P.M. on October 18, 1976 for hearing)
- (a) Sidewalk along Sunrise Avenue at 608 E. Granger Avenue, a portion of Block 1230. (George E. Andrade - \$404.40)
  - (b) Sidewalk along Brenner Avenue and Crommelin Avenue at 2620 Crommelin Avenue, Lot 1 of Block 7250. (Robert P. Buriani - \$1,287.00)
  - (c) Curb and sidewalk at 1108 Stoddard Avenue, Lot 2 of Block 447. (Lloyd G. Burns - \$563.00)
  - (d) Sidewalk along Tokay Avenue and Sunrise Avenue at 700 Tokay Avenue, Lot 4 of Block 12900. (Lloyd W. Cambron - \$610.50)
  - (e) Sidewalk at 1909 Sunrise Avenue, Lot 3 of Block 6907. (Roy W. Cook - \$162.95)
  - (f) Sidewalk along Paradise Avenue at 213 Paradise Avenue, Lot 13 and 14 of Block 340. (Luther Damir - \$637.95)
  - (g) Sidewalk along Paradise Avenue at 315 Paradise Avenue, Lot 6 of Block 343. (Tommy Evarrt - \$362.50)
  - (h) Sidewalk along Tokay Avenue and Sunrise Avenue at 604 Tokay Avenue, a portion of Block 6907. (James A. Gaither - \$478.83)
  - (i) Sidewalk along Griswold Avenue and Enslin Avenue at 825 Enslin Avenue, Lot 1 of Block 715. (Dexter C. Hogin - \$756.00)
  - (j) Curb and sidewalk along Sutter Avenue at 400 Paradise Road, a portion of Block 3094. (Harold A. Knowles - \$2,160.00)
  - (k) Curb and sidewalk along Stoddard Avenue at 315 Virginia Avenue, Lot 10 of Block 513. (Wilma B. Long, Schnyder - \$1,255.00)
  - (l) Sidewalk along Norwegian Avenue and Sunrise Avenue at 605 Norwegian Avenue, Lot 1 of Block 6907. (Norma J. Mitchell - \$672.63)
  - (m) Sidewalk at 1539 Sunrise Avenue, a portion of Block 1230. (Louis C. Niles - \$169.80)
  - (n) Curb and sidewalk along Enslin Avenue and Coldwell Avenue at 601 Coldwell Avenue, Lot 12 of Block 715. (Carl L. Rohlwing - \$1,252.10)

CONSENT

19. Report of Superintendent of Streets, continued.

- (o) Sidewalk along Wilson Avenue at 1005 Roble Avenue, a portion of Block 2028. (Michael J. Rose - \$205.75)
- (p) Curb and sidewalk along Stoddard Avenue at 1114, 1116, and 1122 Stoddard Avenue, Lot 3, 4 and 5 of Block 447. (Society for Crippled Children and Adults - \$1,357.00)
- (q) Sidewalk along College Avenue at 1046 Yale Avenue, a portion of Block 812. (Berdina Watson - \$442.75)
- (r) Sidewalk along Valle Vista Avenue and Tokay Avenue at 600 Tokay Avenue, Lot 9 of Block 6907. (John W. Wilson - \$588.00)

ACTION: Res. 76-1073 adopted setting hearing. (Clerk to handle)

CONSENT

20. Agreements providing for afterschool recreation program to commence on or about October 4, 1976 and to extend to on or about May 27, 1977.

- (a) This agreement with Modesto City Schools is the usual agreement whereby City agrees to operate the playgrounds on an afterschool basis and the District is to pay City \$9,298 for these services. Some clarification has been made in the hold harmless provisions of the agreement.  
(Resolution approving agreement needed.)

ACTION: Res. 76-1074 adopted approving agreement with Modesto City Schools District of Stanislaus County. (P & R to handle)

- (b) This agreement with the Sylvan Union School District whereby the City agrees to operate the playgrounds on an afterschool basis and the District is to pay City \$1,693 for these services. Some clarification has been made in the hold harmless provisions of the agreement.  
(Resolution approving agreement needed)

ACTION: Res. 76-1075 adopted approving agreement with Sylvan Union School District. (P & R to handle)

CONSENT

21. Consider approval of final map of Wyldewood Grove No. 2 Subdivision of the City of Modesto and authorizing an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (Subdividers Arthur J. Wylie, Jr. and Sharon L. Wylie have signed the agreement and all fees have been paid. Wyldewood Grove No. 2 Subdivision is located on the north side of Wylie Drive, west of Oakdale Road and east of Muirswood Way. It contains 12.365 acres. Resolution approving final map needed)

ACTION: Res. 76-1076 adopted approving final map of Wyldewood Grove No. 2 Subdivision. (Clerk to handle)

CONSENT

22. Consider proposal of Mr. M. E. Grover, 2501 East Hatch Road, Modesto, Calif., 95351, 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 pound box. Mr. Grover harvested the olives in 1974 and paid \$130 to the City for the crop and again in 1975 and paid \$187.00 to the City for the crop. Resolution approving proposal needed)

ACTION: Res. 76-1077 adopted approving letter agreement with Mr. M. E. Grover. (P & R to handle)

## REPORTS

### CONSENT

23. Recommend amendment to Section 8-3-9 of the zoning map - Parkview Christian Estates.  
(On September 21, 1976, the Planning Commission adopted Resolution 76-160 recommending to the Council an amendment to Section 8-3-9 to rezone from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(145), to permit construction of a 99-dwelling unit senior citizens housing project, property located on the east side of Napier Drive north of West Rumble Road. Resolution setting public hearing on October 18, 1976 at 4:10 P.M. needed)

ACTION: Res. 76-1078 adopted setting hearing. (Clerk to handle)

### CONSENT

24. 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 accepting report needed)

ACTION: By motion, report accepted.

25. Fees and charges for recreation programs.  
(Report concerning fees and charges for various recreation programs and recommended changes. Report with agenda. Motion approving recommendations needed)

ACTION: By motion, recommendations approved. (P & R to handle)

### CONSENT

26. County referral of open space contract application:  
No. 77-2434, Laverne and John Moore, north of Paradise Road, west of Vineyard Haven, 1649 Vineyard Haven and 2209 Paradise Road.  
(Memo with agenda. Resolution recommending approval of application needed)

ACTION: Res. 76-1079 adopted approving open space contract application No. 77-2434. (Planning to handle)

## MISCELLANEOUS

27. Legislation.

NONE

28. Appointments.

NONE

29. Matters too late for the agenda.

ACTION: Councilmember Kullijian brought up the matter of adult magazines in stores near schools. By motion, the staff was directed to work with the District Attorney on ways of getting the merchants' cooperation in displaying these magazines where it would be difficult for children to see them. (C/Atty to handle)

Director of Public Works recommended that the City purchase two parcels of land on Maze Blvd. near Carpenter which are being sold at a tax sale for \$64.00.

ACTION: Res. 76-1080 adopted (Newton/Mensing, unan. - Elliott, absent) approving purchase. (P/W to handle)

Adjournment at 8:50 P.M.

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, CITY CLERK

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 4, 1976 AT 4:00 P.M.

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

Pledge of allegiance to the Flag.

Invocation by Reverend Rollin P. Keller, Orthodox Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 5, 6, 7, 8, 9,  
Item 13 dropped from agenda 17, 18, 19, 20, 21, 22, 23, 24,  
Items 4, 31 and 32 removed from consent 25, 26, 27, 28, 29, 30, 33, 34,  
Dunlap/Mensinger, unan. - Elliott and 35, 36, 37, 38, 39, 40, 41, 42,  
Newton, absent 43, 44, 45

(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 September 27, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT

2. Letter from residents requesting that sidewalk between Pearl Street and Glenwood Avenues be abandoned.  
(Motion referring to staff needed)

ACTION: By motion, request referred to staff. (P/W to handle)

CONSENT

3. Letter from Mid Valley Engineering appealing the decision of the Planning Commission regarding Ronald Towery's P-D application.  
(Resolution setting public hearing October 25, 1976 at 7:40 P.M. needed)

ACTION: Res. 76-1081 adopted setting hearing. (Clerk to handle)

BIDS

4. Consider award of contract for HCDA removal of architectural barriers and replace returns at various locations in the DBC area in the City of Modesto.  
(Bids were opened September 28, 1976. The low bid of \$40,224 submitted by George Bianchi Construction, Inc., is 8.6% 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 \$14,127.50, (Contr. \$13,550; Engr. \$577.50). \$28,296.50 (Contr. \$26,674; Engr. \$1,622.50. Funds are budgeted)

ACTION: Res. 76-1082 adopted (Kullijian/Dunlap, unan. - Elliott and Newton, absent) awarding contract to George Bianchi Construction, Inc. (P/W to handle)

CONSENT

5. Consider award of contract for construction of street light modernization Phase VII, Stage 2, 1976-77.  
(Bids were opened September 28, 1976. The low bid of \$77,711 submitted by Collins Electrical Company, Inc. is \$15,53% 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 \$84,561 (Contract \$77,711; Engr. & Incid. \$6,850). Funds are budgeted)

ACTION: Res. 76-1083 adopted awarding contract to Collins Electrical Co. (P/W to handle)

CONSENT

6. Consider awarding bid of supplying rebuilt parking meters.  
(Memo with agenda. The low bids from two companies were equal. Splitting the bid is recommended. Estimated cost \$16,980. Funds are budgeted. Resolutions awarding contracts needed)

ACTION: Res. 76-1084 adopted awarding half of contract to Traffic Appliance Corp.

Res. 76-1085 adopted awarding half of contract to American Parking Meter Corp. (P & T to handle)

CONSENT

7. Consider acceptance of Joe Martin's contract for construction of waterlines in Sylvan Meadows East No. 2.  
(Original contract \$21,460. 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 record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$21,256.41 (Main, \$19,531.41; New Ser. \$1,725.00). Funds are budgeted)

ACTION: Res. 76-1086 adopted accepting contract as complete. (Clerk to handle)

CONSENT

8. Consider acceptance of Flintkote Co.'s contract for construction of lighting, mounds and parking lot at Rose Avenue Park.  
(Original contract \$37,437.00. 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 record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$37,437. Funds are budgeted)

ACTION: Res. 76-1087 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 Flintridge Estates No. 3.  
(Suggested bid opening October 19, 1976 at 11:00 A.M. Cost & Revenue: Construction, \$32,557; Connection charges, \$21,560; Net revenue, \$1,705. Resolution approving bid call needed. Estimated cost \$32,557 (Contract, \$24,757; Engr. & Matls. \$7,800). Funds are budgeted)

ACTION: Res. 76-1088 adopted approving plans, specifications and bid call. (P/W to handle)

HEARINGS

10. Hearing on amendment to Section 23-3-9 of zoning map to rezone from Low Density Residential Zone, R-1, to Medium High Density Residential Zone, R-3, property located on the west side of Lakewood Avenue between East Briggsmore and East Orangeburg Avenue. (Horn Construction) 4:05 P.M.

duced

ACTION: Ord. No. 1552-C.S. intro-/ (Kullijian/Siefkin, unan. - Elliott, Mensinger, and Newton, absent) rezoning area. (Clerk to handle)

Res. 76-1089 adopted (Kullijian/Siefkin, unan. - Elliott, Mensinger and Newton, absent) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

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

11. Hearing on Council conflict of interest code. 4:10 P.M.

ACTION: No comments nor written communications were submitted by the public.

Res. 76-1090 adopted (Dunlap/Siefkin, unan. - Elliott and Newton, absent) adopting a conflict of interest code applicable to the members of the City Council pursuant to the Political Reform Act of 1974. (Clerk to handle)

12. Matters for the good of the community. 4:15 P.M.  
(These may be presented by interested persons in the audience)

ACTION: Mayor Davies introduced Robert Alan, News reporter from KTRB.

ORDINANCES

13. Consider ordinance amending the building code.  
(Memo with agenda. Introduction of ordinance needed.)

DROPPED FROM AGENDA

UNFINISHED BUSINESS

14. Consider taxi rates.  
(Memo with agenda. A rate increase of about 20% is recommended. Motion directing staff needed. Resolution certifying review of environmental assessment needed)

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

By motion, (Dunlap/Siefkin, unan. - Elliott, Kullijian and Newton, absent) staff to prepare ordinance in accordance with alternative 2. (P & T to handle)

Res. 76-1091 adopted (Dunlap/Siefkin, unan. - Elliott, Kullijian and Newton, absent) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

NEW BUSINESS

15. Consider authorization to negotiate agreement with Duane D. Stone and Associates for preparation of plans and specifications for construction of Fire Station No. 6.  
(The C.I.P. for 1976-77 contains funds for construction of Fire Station No. 6 to be located at Standiford Avenue and Dale Road. It is now necessary to proceed with this project in order to provide facilities for this area. Motion authorizing negotiation of agreement with Duane D. Stone and Associates needed. Estimated cost \$18,000. Funds are budgeted)

ACTION: By motion (Dunlap/Mayor Davies, unan. - Elliott and Newton, absent) staff to negotiate with Stone. (Fire and P/W to handle)

16. Request for directive from Council to the League Conference Delegate on how he should vote regarding the proposed League Building in Sacramento. (See excerpt from Mayor Davies' memo to Mayors & Members of the Executive Committee, Central Valley Division, League of California Cities, and Modesto Councilmembers dated 9-27-76 with agenda. Copy of letter from Pete Wilson (President, League of California Cities) dated 9-17-76 regarding background statement and proposed resolutions also with agenda. Motion directing delegate needed)

ACTION: By motion (Kullijian/Dunlap, unan. - Elliott and Newton, absent) delegate instructed to vote for the League building.

CONSENT

17. Consider approval of reimbursement by City of Modesto to Bomberger Bros., Inc. for cost incurred in excess of the storm drainage assessment fee, to construct a trunk storm drain in East Orangeburg Avenue adjacent to Sonoma Plaza No. 2 Subdivision.  
(Memo with agenda. Resolution approving payment of \$895.08 to Bomberger Bros., Inc. needed. Funds are budgeted)

ACTION: Res. 76-1092 adopted approving reimbursement of \$895.08 to Bomberger Bros., Inc. (Finance to handle)

CONSENT

18. Consider approval to reconstruct and widen Oakdale Road from Briggsmore to Scenic, and approval of negative declaration.  
(This project is carried in 1976-77 and 1977-78 CIP's. Council approvals are necessary at this time to further process the negative declaration as prescribed for FHWA projects. Resolution approving project and resolution approving negative declaration needed)

ACTION: Res. 76-1093 adopted approving project to reconstruct and widen Oakdale Road from Briggsmore to Scenic Dr. (P/W to handle)

Res. 76-1094 adopted directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

CONSENT

19. Consider rescinding resolutions of condemnation against Southern Pacific Railroad and E. J. Boundey et al on the Needham - "P" Street to Kansas Project.  
(Memo with agenda. Three resolutions rescinding council resolutions 76-562, 76-563, 76-564 needed)

ACTION: Res. 76-1095 adopted rescinding Res. 76-562, Southern Pacific Transportation, et al, Kansas - Needham to P St.

CONSENT

19. Consider rescinding resolutions of condemnation, continued.

ACTION: Res. 76-1096 adopted rescinding Res. 76-563, Southern Pacific Transportation, et al, Kansas - Needham to P St.

Res. 76-1097 adopted rescinding Res. 76-564, Gertrude F. Boundey, Kansas - Needham to P St. (Clerk to handle)

CONSENT

20. Resolution authorizing the City Manager to sign agreement between the State of California Office of Traffic Safety and City of Modesto. (State of California Office of Traffic Safety will authorize \$7,912 to provide an accident data system for the City of Modesto Police Department. There will be no local costs. Resolution approving agreement needed)

ACTION: Res. 76-1098 adopted approving agreement. (Clerk to handle)

CONSENT

21. Consider approval of City of Modesto's Surplus Property Listing and authorize a public auction to be held October 23, 1976 at the City Corporation Yard. (Council approval is required to sell surplus items of the City of Modesto and items held by the Police Department for six months or longer. Resolution providing for the sale of surplus and unclaimed property needed)

ACTION: Res. 76-1099 adopted providing for sale of surplus and unclaimed property to be held October 23, 1976 at City Corporation Yard. (Finance to handle)

CONSENT

22. Resolution authorizing the City Manager to sign training agreements between the State of California Highway Patrol and the City of Modesto Police Department. (The State of California now requires a signed agreement between the State and any agency desiring to use their facilities for training purposes. From time to time the Modesto Police Officers are sent to the CHP Academy for specialized training. Resolution authorizing City Manager to sign agreements needed)

ACTION: Res. 76-1100 adopted authorizing City Manager to sign agreements during 1976-77. (C/Mgr to handle)

CONSENT

23. Consider proposal of Lloyd Burkett to harvest English walnuts on various city properties. (Letter from Mr. Burkett with agenda. Resolution approving needed)

ACTION: Res. 76-1101 adopted approving letter agreement with Lloyd Burkett. (P & R to handle)

CONSENT

24. Request of Lloyd Burkett to harvest black walnuts on City of Modesto property. (Letter from Mr. Burkett with agenda. Motion approving request needed.)

ACTION: By motion, request approved. (P & R to handle)

CONSENT

25. Project Report on Wastewater treatment and Disposal Facilities and Final EIR.

(The Project Report on Wastewater Treatment and Disposal Facilities has been completed and is ready for final approval by the City Council. A supplement to the Draft EIR answering questions raised by the public and Councilmembers has also been completed. The DRAFT EIR plus the supplement comprise the Final EIR for the project. Copies of both documents are available for review by the public at the Modesto-Stanislaus Library, 1500 "I" Street, and at the offices of the City Clerk and Public Works Department at City Hall. Resolution setting October 11, 1976 at 7:40 P.M. as the time for City Council review and approval of final EIR and Project Report needed)

ACTION: Res. 76-1102 adopted setting hearing. (Clerk to handle)

CONSENT

26. Resolution rescinding Resolution 76-931 pertaining to conflict of interest codes for city agencies.

(Memo with agenda. Resolution needed)

ACTION: Res. 76-1103 adopted rescinding Resolution 76-931 pertaining to conflict of interest codes for city agencies. (Clerk to handle)

CONSENT

27. Consider authorization to issue \$4,500 purchase order to M.I.D. (Modesto Irrigation District has electrical facilities to relocate for the construction of the Rose-Briggsmore intersection. This work can only be done by M.I.D. and the City is to reimburse them for their costs. The M.I.D. estimate for this work is \$4,500 and the funds are budgeted. Resolution authorizing \$4,500 purchase order to M.I.D. needed. Funds are budgeted)

ACTION: Res. 76-1104 adopted authorizing \$4,500 purchase order to M.I.D. (Finance to handle)

CONSENT

28. Consider agreement for operating parking lot at the new County Administration Building.

(The City will operate the lot and the County will pay all expenses. Memo with agenda. Resolution approving agreement; resolution establishing the parking lot, resolution approving fund transfer, ordinance amending parking meter zoning map, and ordinance establishing time limits and parking fees needed. Estimated cost \$4,800)

ACTION: Res. 76-1105 adopted approving agreement. (P & T to handle)

Res. 76-1106 adopted establishing parking lot. (P & T to handle)

Res. 76-1107 adopted approving appropriation transfer of \$4,800 from Account 60-800-209 to Account 5304-570-209. (Finance to handle)

Ord. No. 1553-C.S. introduced amending parking meter zoning map. (Clerk to handle)

Ord. No. 1554-C.S. introduced/ establishing time limits and parking fees. (Clerk to handle)

CONSENT

29. Consider revising Position Classification Plan.  
(Memo and revised job specifications for Fire Fighter and Wastewater Treatment Plant Attendant, Operator I and Operator II with agenda. Resolution approving changes needed)

ACTION: Res. 76-1108 adopted revising Position Classification Plan.  
(Personnel to handle)

CONSENT

30. Consider authorizing termination of lease agreement with Trans National Airlines, Inc., at the Modesto City-County Airport/Harry Sham Field.  
(Trans National Airlines, Inc. is not now conducting business at the Airport nor have they answered two letters of inquiry concerning their activities. It is therefore recommended their lease be terminated. Memo with agenda. Resolution authorizing termination of lease needed)

ACTION: Res. 76-1109 adopted authorizing termination of lease. (P/W to handle)

31. Consider approval of lease agreements with Modesto Taxi and Red Top Taxi companies at the Modesto City-County Airport/Harry Sham Field.  
(Two resolutions approving lease agreements needed)

ACTION: Res. 76-1110 adopted (Dunlap/Mensing, unan. Elliott, Kullijian and Newton, absent) approving lease agreement with Charles V. Sales, dba Modesto Cab Co.

Res. 76-1111 adopted (Dunlap/Mensing, unan. - Elliott, Kullijian, and Newton, absent) approving lease agreement with B. Dennis McDonald, dba Red Top Taxi. (P/W to handle)

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

32. Expansion of Housing Maintenance and Counseling Subcommittee by one member.  
(Memo with agenda. Resolution amending Resolution No. 75-866 needed)

ACTION: By motion (Mensing/Siefkin, unan. - Elliott and Newton, absent) Councilmember Kullijian was directed to present the recommendation to the Housing and Community Development Committee for consideration.  
(Planning to handle)

CONSENT

33. Proposal by Sylvan Union School District to purchase a school site outside of current sanitary sewer service area.  
(Motion referring matter to Council Public Projects Committee for report and recommendation needed)

ACTION: By motion, proposal referred to Public Projects Committee.  
(Planning to handle)

CONSENT

34. Report regarding proposed agreement with Modesto City Schools for the use of LaLoma multipurpose facility.  
(Memo with agenda. Motion approving recommendation needed)

ACTION: By motion, recommendation approved. (P & R to handle)

REPORTS

CONSENT

35. P. G. & E. application to P.U.C. to adjust gas charges.  
(Memo with agenda. Application is to simplify the process of transferring increased (or decreased) gas costs to the consumer. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

CONSENT

36. Consider staff report on Modesto Bee parking lot.  
(Memo with agenda. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

CONSENT

37. Report on purchase of three standby emergency chlorinators for use in the city water system.  
(Public Works staff has been advised by the State Health Department that standby emergency chlorinators are required in case a water system emergency should arise. Memo with agenda. Motion accepting report needed)

ACTION: By motion, receipt of report acknowledged.

CONSENT

38. Report on garden refuse operations.  
(Memo with agenda. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

CONSENT

39. Recommend amendment to the Standard Plans and Specifications of the City of Modesto pertaining to subdivision improvements (installation of high pressure sodium vapor street lights)  
(On September 21, 1976, the Planning Commission adopted Resolution No. 76-153 recommending to the City Council that the Standard Specifications for subdivision improvements be amended to substitute installation of high pressure sodium vapor street lights for the presently required mercury vapor street lights. Adoption of resolution needed)

ACTION: Res. 76-1112 adopted amending Standard Plans and Specifications.  
(Planning to handle)

CONSENT

40. Vacation and abandonment of the 6-foot public walkway between Crestview Drive in Block 1101 of Downey Park No. 3 Subdivision and Carnation Court in Block 1097 of Rose Gardens Unit No. 2 Subdivision.  
(By Resolution No. 76-150 adopted September 7, 1976, the Planning Commission recommended to the City Council the vacation and abandonment of the 6-foot public walkway between Crestview Drive in Block 1101 of Downey Park No. 3 Subdivision and Carnation Court in Block 1097 of Rose Gardens Unit No. 2 Subdivision. Resolution of Intention to vacate and abandon and setting October 25, 1976 at 7:30 P.M. for public hearing needed)

ACTION: Res. of Int. No. 367 (1338-S.P.) adopted setting hearing.  
(Clerk to handle)

CONSENT

41. Recommend the granting of an unclassified use permit to United Pentecostal Church for a parochial school on the northerly side of Tuolumne Boulevard on both sides of Calaveras Avenue. (On September 21, 1976, the Planning Commission adopted Resolution No. 76-159 recommending to the Council the granting of an unclassified use permit to the United Pentecostal Church for utilization of existing church facilities and a proposed playground area for a parochial school, property located on the northerly side of Tuolumne Boulevard on both sides of Calaveras Avenue. Resolution setting public hearing on October 25, 1976 at 7:35 P.M. needed)

ACTION: Res. 76-1113 adopted setting hearing. (Clerk to handle)

CONSENT

42. Annexation to the City of uninhabited territory - Prescott #5 Addition. (Resolution setting date for public hearing on November 22, 1976 at 7:30 P.M. needed)

ACTION: Res. 76-1114 adopted setting hearing. (Clerk to handle)

APPROPRIATION TRANSFERS

CONSENT

43. Consider appropriation transfers to support increased staff in Building Inspection Division. (Memo with agenda. Two resolutions approving appropriation transfers from the General Reserve of the General Fund and the Special Fund for Capital Outlays. Estimated cost \$60,712.)

ACTION: Res. 76-1115 adopted approving appropriation transfer of \$49,977 from Account 60-800-101 to various accounts in Fund 101.

Res. 76-1116 adopted approving appropriation transfer of \$10,195 from Account 60-800-321 to various accounts in Fund 321. (Finance to handle)

CONSENT

44. Approval of appropriation transfer to provide for the purchase of twenty golf carts. (Memo with agenda. Resolution approving appropriation transfer needed. Estimated cost \$31,482)

ACTION: Res. 76-1117 adopted approving appropriation transfer of \$31,482 from Account 60-800-321 to Account 6039-270-321. (Finance to handle)

CONSENT

45. Approval of appropriation transfer and authorize purchase of the computer disk pack. (Memo with agenda. Resolution approving appropriation transfer and resolution waiving formal bid procedures and authorizing purchase from Burroughs Corp. Five affirmative votes needed. Estimated cost \$8,400)

ACTION: Res. 76-1118 adopted approving appropriation transfer of \$8,400 from Account 60-321 to Account 6910-15-321.

Res. 76-1119 adopted waiving formal bid procedures and authorizing purchase from Burroughs Corp. (Finance to handle)

MISCELLANEOUS

46. Legislation.

NONE

47. Appointments.

ACTION: Res. 76-1120 adopted (Dunlap/Kullijian, unan. - Elliott and Newton, absent) appointing Rev. Rollin P. Keller, Orthodox Presbyterian Church, to Modesto Human Rights Commission (replacing Jim Edmonson) for a term expiring May 1, 1978, and appointing Jim Richardson as Chairman.

48. Matters too late for the agenda.

- ACTION:
- (a) Councilmember Dunlap said a list of the times and dates of the Public Projects Committee land use study meetings has been widely distributed.
  - (b) City Manager said that Gunderson & Co., the City's outside auditor, has asked for an extension on the time for completing the annual audit. By motion (Siefkin/Dunlap, unan. - Elliott and Newton, absent) extension of time granted. (C/Mgr to handle)

Adjourned at 5:55 P.M. to Casa La Torre, 601 McHenry Ave., for dinner.

Present: Mayor Davies, Dunlap, Kullijian and Siefkin

Returned to Council Chambers at 7:30 P.M. to discuss the proposed sign ordinance.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

Modesto City Council  
Adjourned Regular Meeting  
October 4, 1976  
7:30 P.M.

The Council of the City of Modesto met pursuant to adjournment at 7:30 P.M. in the Council Chambers, 801 Eleventh Street, Modesto, California, to discuss sections of the proposed sign ordinance relating to billboards.

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

Absent: Councilmembers: Elliott, Mensinger, Newton

By motion, made by Councilmember Dunlap, seconded by Councilmember Siefkin, and carried unanimously, the staff was directed to suggest a way of permitting directional signs for the highways which relate to tourist-oriented businesses.

The next meeting to further discuss the proposed sign ordinance was tentatively set for Monday, November 1, 1976, at 7:30 P.M.

Meeting adjourned at 8:55 P.M.

ATTEST: *Norrine Coyze*  
NORRINE COYZE, City Clerk

10/4/76

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 11, 1976 AT 7:30 P.M.

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

Absent: Councilmembers Elliott, Newton

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 3, 3A, 4, 5, 6, 7,  
Item 18, 19, 30 and 31 removed from 8, 9, 11, 16, 17, 20, 21, 22,  
consent 23, 24, 25, 26, 27, 28, 29,  
Dunlap/Mensinger, 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. Approval of minutes of October 4, 1976, regular meeting, and October 4, 1976, adjourned meeting.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

2. Letter from Downtown Improvement District requesting use of sidewalks for a sale October 14, 15 and 16, 1976.  
(Resolution approving request needed)

ACTION: Res. 76-1121 adopted approving request for use of sidewalks.  
(Clerk to handle)

CONSENT

3. Letter from Mr. and Mrs. David Pittman regarding the City's home occupation permit provisions.  
(Motion referring to staff for report needed)

ACTION: By motion, referred to staff for report. (Planning and P/W to handle)

CONSENT

- 3A. Letter from Chet Cummins appealing decision of Planning Commission denying rezoning to permit a proposed business park.  
(Resolution setting November 1, 1976 at 4:15 P.M. for public hearing needed)

ACTION: Res. 76-1122 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

4. Consider approval of specifications and authorize call for bids to be opened November 2, 1976 at 2:00 P.M. for furnishing one hydraulic bed trailer.  
(Item is required by the Parks Department and will not serve as a replacement for any like item currently in service. Resolution authorizing call for bids needed. Estimated cost \$4,000. \$3,710 budgeted. Appropriation transfer for balance of funds needed will be requested after bids are received.)

ACTION: Res. 76-1123 adopted approving specifications and call for bids.  
(Finance to handle)

CONSENT

5. Consider approval of specifications and authorize call for bids to be opened November 2, 1976 at 2:15 P.M. for furnishing fire fighting equipment.  
(Equipment to be used to outfit one 100' aerial ladder truck and three 1500 G.P.M. pumpers recently purchased by the City and scheduled to be delivered within the next few months. Resolution authorizing call for bids needed. Estimated cost \$39,500. Funds are budgeted)

ACTION: Res. 76-1124 adopted approving specifications and call for bids.  
(Finance to handle)

CONSENT

6. Consider approval of specifications and authorize call for bids to be opened November 2, 1976 at 2:30 P.M. for furnishing three three-wheel turf vehicles.  
(Vehicles are required by the Parks Department and Water Quality Control Division and will be assigned as service pool equipment. Resolution authorizing call for bids needed. Estimated cost \$6,625. Funds are budgeted)

ACTION: Res. 76-1125 adopted approving specifications and bid call.  
(Finance to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for construction of additional riprap on oxidation pond levees.  
(Suggested bid opening October 26, 1976 at 11:00 A.M. This project will provide erosion protection at various locations on existing levees at the oxidation ponds. Resolution approving call for bids needed. Estimated cost \$22,000 (\$21,000 const.; \$1,000 Engr.) Funds are budgeted)

ACTION: Res. 76-1126 adopted approving plans, specifications and bid call.  
(P/W to handle)

CONSENT

8. Consider award of contract for construction of irrigation and planting at Fire Station No. 4.  
(Bids were opened on October 5, 1976. The low bid was submitted by Grover Landscaping and was 49% under the Engineer's Estimate. A review of the bid with the low bidder indicated that because of the quantity of one plant some savings was realized and they are looking for work presently and lowered the price to try to obtain this project. Previous contracts with the low bidder have been successfully completed and it is recommended that this contract be awarded to them. Resolution awarding bid needed. Estimated cost \$6,699. Funds are budgeted)

ACTION: Res. 76-1127 adopted awarding contract to Grover Landscaping.  
(P/W to handle)

CONSENT

9. Consider award of contract for construction of waterlines in Sonoma Park Subdivision.  
(Bids were opened October 5, 1976. The low bid of \$5,040.20 submitted by Western Pipeline Co., Inc., is 7% above the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost \$5,040.20. Funds are budgeted)

ACTION: Res. 76-1128 adopted awarding contract to Western Pipeline Co., Inc. (P/W to handle)

10. Consider contract for providing bus drivers.  
(Memo with agenda. The low and only bidder is Kenny Transportation at \$7.25 per hour, the same charge as at present. It is recommended that a contract be awarded. The memo also contains information on driver wages and fringe benefits. Resolution awarding contract and motion directing staff regarding salaries and fringe benefits for drivers needed. Estimated cost \$369,539)

ACTION: A resolution (Kullijian/Davies) to approve contract failed to pass.

By motion (Mensing/Siefkin, unan.) staff to do a thorough analysis of the costs of City management of the bus system compared to private management. (Finance and P & T to handle)

CONSENT

11. Accept George Reed's contract for asphalt resurfacing various streets.  
(Original contract \$125,908.70. 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 record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$118,692.81. Funds are budgeted)

ACTION: Res. 76-1129 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

12. Hearing, abandonment of Blue-Gum Crossing of the Southern Pacific Railroad. 7:35 P.M.

ACTION: Res. 1339-S.P. adopted (Siefkin/Dunlap, unan. - Elliott and Newton, absent) abandoning crossing. (P & T to handle)

By motion (Siefkin/Dunlap, unan. - Elliott & Newton, absent) staff to proceed with discussions concerning the possibility of a bike path across the tracks at Blue Gum. (P & T to handle)

13. Discussion of Wastewater Treatment Project Report and final Environmental Impact Report. 7:40 P.M.

ACTION: Res. 76-1130 adopted (Dunlap/Siefkin, unan. - Elliott and Newton, absent) approving project report and recommended project improvements for Waste Water Treatment and Disposal Facilities of the City of Modesto.

Res. 76-1131 adopted (Dunlap/Siefkin, unan. - Elliott and Newton, absent) approving the final E.I.R. (P/W to handle)

14. Matters for the good of the community. 7:45 P.M.  
(These may be presented by interested persons in the audience)

ACTION: Bill Han complained about the notice he received about abatement of weeds. By Order of the Chair, staff to look into the problem and report back to Council. (Finance and Fire to handle)

ORDINANCES

15. Final adoption of Ord. No. 1552-C.S. amending Section 23-3-9 of zoning map. (Horn Construction.)

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

By motion (Dunlap/Kullijian, unan. - Elliott, Mensinger, Newton, absent) Ord. No. 1552-C.S. adopted. (Clerk to handle)

CONSENT

16. Final adoption of Ord. No. 1553-C.S. amending parking meter zoning map.  
(Motion with roll call vote needed)

ACTION: By motion, Ord. No. 1553-C.S. adopted. (Clerk to handle)

CONSENT

17. Final adoption of Ord. No. 1554-C.S. establishing time limits and parking fees.  
(Motion with roll call vote needed)

ACTION: By motion, Ord. No. 1554-C.S. adopted. (Clerk to handle)

18. Ordinance amending the Building Code to permit installation of security grills (overhead roll up doors) on commercial businesses located in mall facilities.  
(Memo with agenda. Introduction of ordinance needed)

ACTION: Ord. No. 1555-C.S. introduced (Kullijian/Dunlap, unan. - Elliott and Newton, absent) amending Building Code. (Clerk to handle)

19. Consider ordinance increasing taxi fares.  
(Memo with agenda. Introduction of ordinance needed)

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

Ord. No. 1556-C.S. introduced (Dunlap/Siefkin, unan. - Elliott, Kullijian, Newton, absent) increasing taxi fares. (Clerk to handle)

By motion (Dunlap/Siefkin, unan. - Elliott, Kullijian and Newton, absent) the penalty levied against Yellow Cab Co. due to the late financial statement was waived. (P & T to handle)

UNFINISHED BUSINESS

CONSENT

20. Authorize bus ridership promotion agreement.  
(Memo with agenda. Agreement hiring Ilium Associates at a cost of up to \$30,000. Resolution approving agreement needed. Estimated cost \$30,000. Funds are budgeted)

ACTION: Res. 76-1132 adopted approving agreement with Ilium Associates.  
(P & T to handle)

NEW BUSINESS

CONSENT

21. Consider resolutions revising Position Classification Plan and amending salary schedules.  
(Recommend reclassification of Budget Technician classification to Budget Accountant. Two resolutions required. Estimated cost \$682. Funds are budgeted)

ACTION: Res. 76-1133 adopted revising Position Classification Plan.  
Res. 76-1134 adopted amending salary schedules. (Personnel to handle)

CONSENT

22. Consider abandonment of an access easement in Block 6460 of the City of Modesto.  
(The easement was established originally to provide access to a landlocked parcel of property which was to become Chrysler Park. The park is now fronted by a public street known as Park Place. Therefore, the easement is no longer required. Resolution vacating and abandoning 30-foot access easement in Block 6460 needed)

ACTION: Res. 1340-S.P. adopted abandoning access easement in Block 6460.  
(Clerk to handle)

CONSENT

23. Consider abandonment of a public utility easement in Block 239 of the City of Modesto.  
(The property that the easement was to have served has never been developed and the property has now been resubdivided by a parcel map. The existing easement now interferes with the construction on the new parcels. A ten-foot public utilities easement has been dedicated adjacent to the right of way lines of Loma Vista and Morton Boulevard. The utility companies expressed no opposition to the abandonment of the original easement; therefore, the easement area is no longer required. Resolution vacating and abandoning a 5-foot public utility easement in Block 239 needed. Memo with agenda)

ACTION: Res. 1341-S.P. adopted abandoning public utility easement in Block 239. (Clerk to handle)

CONSENT

24. Consider approval of the final map of Park Place 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, Allen Grant, Inc. The subdivision agreement has been signed and all fees paid. Park Place No. 3 subdivision is located south of West Rumble Road and east of Conant Avenue. It contains 10.471 acres. Resolution approving final map needed)

ACTION: Res. 76-1135 adopted approving final map of Park Place No. 3.  
(Clerk to handle)

CONSENT

25. Consider approval of final map of College West 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, Spivock and Spivock, a general partnership, and Norman J. Winsor and Lola Jean Winsor, husband and wife. The subdivision agreement has been signed and all fees paid. College West No. 1 Subdivision is located south of Blue Gum Avenue, east of Rosemore Avenue. It contains 23.158 acres. Resolution approving final map needed)

ACTION: Res. 76-1136 adopted approving final map of College West No. 1.  
(Clerk to handle)

CONSENT

26. Authorize reserved parking spaces on city operated parking lot.  
(The City Manager currently has authority to reserve spaces on city-owned parking lots and this authority needs to be extended to cover city-operated lots. Memo with agenda. Introduction of ordinance amending Section 3-2.1607 of the Municipal Code needed)

ACTION: Ord. No. 1557-C.S. introduced amending Section 3-2.1607 of the Municipal Code. (Clerk to handle)

CONSENT

27. Consider disposition of a parcel of land declared excess to City needs.  
(This parcel is located at the northwest corner of Needham Street and Orange Avenue. Memo with agenda. Motion approving recommendation needed)

ACTION: By motion, recommendation approved. (P/W to handle)

REPORTS

CONSENT

28. Recommend amendment to Section 8-3-9 of the zoning map - Rule-Dale Enterprises.  
(On September 21, 1976 the Planning Commission adopted Resolution No. 76-156 recommending to the Council an amendment to Section 8-3-9 of the Zoning Map to rezone from R-1 to R-2, property located on the south side of Union Avenue, west of McHenry Avenue. Resolution setting public hearing on November 1, 1976 at 4:05 P.M. needed)

ACTION: Res. 76-1137 adopted setting hearing. (Clerk to handle)

CONSENT

29. Recommend amendment to Sections 11-3-8 and 14-3-8 of the zoning map. (Sanders Construction)  
(On September 21, 1976, the Planning Commission adopted Resolution 76-158 recommending to the Council an amendment to Sections 11-3-8 and 14-3-8 to rezone from R-1 to H-1, property located on the west side of Dale Road south of Beckwith Road overpass. Resolution setting public hearing on November 1, 1976 at 4:10 P.M. needed)

ACTION: Res. 76-1138 adopted setting hearing. (Clerk to handle)

30. Uninhabited annexation to the City of Modesto - North Coffee No. 1 Addition.  
(The LAF Commission has authorized this annexation without notice of public hearing - September 17, 1976. Resolution annexing needed)

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

Res. 76-1139 adopted (Dunlap/Siefkin, unan. - Elliott, Kullijian and Newton, absent) annexing area. (Planning to handle)

31. Uninhabited annexation to the City of Modesto - Rosemore-Woodland Addition.  
(The LAF Commission has authorized this annexation without notice of public hearing - September 17, 1976. Resolution approving annexation needed)

ACTION: Res. 76-1140 adopted (Dunlap/Kullijian, unan. - Elliott and Newton, absent) annexing area. (Planning to handle)

MISCELLANEOUS

32. Legislation.

NONE

33. Appointments.

NONE

34. Matters too late for the agenda.

ACTION: Dunlap spoke about the practice of Social Security Office employees who park in the spaces that are supposed to be reserved for people visiting the office.

Councilmember Kullijian mentioned the proposed priority setting meetings and said November is too late for a decision on a Senior Citizens' apartment building on the old Lincoln School site. He asked that this item be placed on the Council agenda for October 25.

Councilmember Mensinger said people in the airport district are circulating petitions about rerouting truck traffic to streets where there aren't a great number of children.

Mayor Davies read a letter of appreciation from Major Chris Patterakis.

The meeting adjourned at 11:05 P.M.

ATTEST:

Norrine Coyle  
NORRINE COYLE, City Clerk

Modesto City Council  
Regular Meeting  
October 18, 1976  
4:00 P.M.

In the absence of the Mayor and Vice Mayor, the Assistant City Clerk called the meeting to order. The roll call was as follows:

Present: Councilmembers: None

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

Due to lack of a quorum, the meeting was continued to Thursday, October 21, 1976 at 4:00 P.M.

ATTEST:

*Pauline P. Stanley*  
\_\_\_\_\_  
PAULINE P. STANLEY, Acting City  
Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 18, 1976 AT 4:00 P.M.  
(This meeting will be adjourned to Thursday, October 21, 1976 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 John Mahon, Geneva Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 5, 6, 7, 8, 9,  
Dunlap/Siefkin, unan. - Newton absent 13(b), 13(c), 14, 15, 17, 18,  
19, 21, 22

(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.)

AWARDS

1. (a) \$25.00 to Charlie Keys (Parking and Traffic) for suggestion on using A. B. Dickmaster maker to reproduce code pages for the office of the City Clerk.
- (b) \$20.00 to Emilie McKnight (Parks & Recreation) for suggestion on having City of Modesto printed on money receipt books.
- (c) \$25.00 to John Donahue (Public Works) for suggestion on devising a form for issuing and documentation of edger blades.  
(Mayor to present awards. Funds are budgeted)

ACTION: Mayor Davies presented the awards.

MINUTES

CONSENT

2. Approval of minutes of October 11, 1976 meeting.  
(Motion approving needed)

ACTION: By motion, minutes approved.

WRITTEN COMMUNICATIONS

CONSENT

3. Letter from Dennis Gregory, Ejector Mfg. Co., re his business operation.  
(Memo with agenda. Motion approving staff report needed)

ACTION: By motion, report approved.

CONSENT

4. Letter from Bomberger Bros., Inc., setting hearing November 15, 1976 at 4:05 P.M. for appeal to decision of Planning Commission.  
(Resolution setting hearing needed)

ACTION: Res. 76-1141 adopted setting hearing. (Clerk to handle)

## BIDS

### CONSENT

5. Consider declaring Asplundh Equipment Sales of El Monte, California low bidder and authorizing the purchase of one 16 inch brush chipper for the total amount of \$7,214.60.  
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted)

ACTION: Res. 76-1142 adopted awarding bid to Asplundh Equipment Sales.  
(Finance to handle)

### CONSENT

6. Consider award of contract for construction of waterlines in McHenry Avenue between Rumble Road and 850 feet North, Montecito Park, and Wyldewood Meadow No. 4.  
(Bids were opened October 12, 1976. The low bid of \$44,960.60 submitted by Joe Martin is 10% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$44,960.60. Funds are budgeted)

ACTION: Res. 76-1143 adopted awarding contract to Joe Martin. (P/W to handle)

### CONSENT

7. Consider approval of plans and specifications and call for bids for construction of waterlines in Vintage Faire Subdivision.  
(Suggested bid opening November 2, 1976 at 11:00 A.M. Cost and Revenue: Construction, \$17,258; connection charges, \$7,480; net revenue, \$592. Resolution approving bid call needed. Estimated cost \$17,258 (\$14,158 contract; \$3,100 Engr. & Mtls.) Funds are budgeted)

ACTION: Res. 76-1144 adopted approving plans, specifications and bid call.  
(P/W to handle)

### CONSENT

8. Consider acceptance of Western Pipeline's contract for construction of waterlines in Hatch Road and Dallas Street from Crows Landing to Glenn.  
(Original contract \$41,290.00. All work in conjunction with 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 record the notice of completion. Resolution accepting work as complete needed. Final cost \$41,914.00. Funds are budgeted)

ACTION: Res. 76-1145 adopted accepting contract as complete. (Clerk to handle)

### CONSENT

9. Consider acceptance of Western Pipeline's contract for construction of subtrunk sewer in East Orangeburg - Pepper Tree to Christopher Ct.  
(Original contract \$19,194.40. 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 record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$19,145.00. Funds are budgeted)

ACTION: Res. 76-1146 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

10. Hearings on cost of construction of curb, gutter and/or sidewalks at the following locations:

4:05 P.M.

- (a) Sidewalk along Sunrise Avenue at 608 E. Granger Avenue, a portion of Block 1230. (George E. Andrade - \$404.40)  
(Staff recommends payment over a period of 8-years)

ACTION: Res. 76-1147 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment (over a period of 8-years). (Finance to handle)

- (b) Sidewalk along Brenner Avenue and Crommelin Avenue at 2620 Crommelin Avenue, Lot 1 of Block 7250. (Robert P. Buriani - \$1,287.00)  
(Staff recommends payment over a period of 10-years)

ACTION: Res. 76-1148 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment (over a period of 10-years). (Finance to handle)

- (c) Curb and sidewalk at 1108 Stoddard Avenue, Lot 2 of Block 447. (Lloyd G. Burns - \$563.00)  
(Staff recommends payment over a period of 10-years)

ACTION: Res. 76-1149 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment (over a period of 10-years). (Finance to handle)

- (d) Sidewalk along Tokay Avenue and Sunrise Avenue at 700 Tokay Avenue, Lot 4 of Block 12900. (Lloyd W. Cambron - \$610.50)  
(Staff recommends payment over a period of 10-years)

ACTION: Res. 76-1150 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment (over a period of 10-years). (Finance to handle)

- (e) Sidewalk at 1909 Sunrise Avenue, Lot 3 of Block 6907.  
(Roy W. Cook - \$162.95)  
(Staff recommends payment over a period of 3-years)

ACTION: Res. 76-1151 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment (over a period of 3-years). (Finance to handle)

- (f) Sidewalk along Paradise Avenue at 213 Paradise Avenue, Lot 13 and 14 of Block 340. (Luther Damir - \$637.95)

ACTION: Res. 76-1152 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment. (Finance to handle)

- (g) Sidewalk along Paradise Avenue at 315 Paradise Avenue, Lot 6 of Block 343. (Tommy Evaritt - \$362.50)  
(Dropped from agenda - paid)

DROPPED

- (h) Sidewalk along Tokay Avenue and Sunrise Avenue at 604 Tokay Avenue, a portion of Block 6907. (James A. Gaither - \$478.83)  
(Staff recommends payment over a period of 9-years)

ACTION: Res. 76-1153 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment (over a period of 9-years). (Finance to handle)

10. Hearings on cost of construction of sidewalks, etc.  
continued.

4:05 P.M.

- (i) Sidewalk along Griswold Avenue and Enslen Avenue at 825 Enslen Avenue, Lot 1 of Block 715. (Dexter C. Hogin - \$756.00)  
(Staff recommends payment over a period of 10-years)

ACTION: Res. 76-1154 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment (over a period of 10-years). (Finance to handle)

- (j) Curb and sidewalk along Sutter Avenue at 400 Paradise Road, a portion of Block 3094. (Harold A. Knowles - \$2,160.00)

ACTION: Res. 76-1155 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment. (Finance to handle)

- (k) Curb and sidewalk along Stoddard Avenue at 315 Virginia Avenue, Lot 10 of Block 513. (Wilma B. Long Snyder - \$1,255.00)  
(Staff recommends payment over a period of 10-years)

ACTION: Res. 76-1156 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment (over a period of 10-years). (Finance to handle)

- (l) Sidewalk along Norwegian Avenue and Sunrise Avenue at 605 Norwegian Avenue, Lot 1 of Block 6907. (Norma J. Mitchell Vance - \$672.63).  
(Staff recommends payment over a period of 10-years)

ACTION: Res. 76-1157 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment (over a period of 10-years)

~~ACTION(m) Sidewalk at 1539 Sunrise Avenue, a portion of Block 1230.  
(Louis C. Niles - \$169.80)~~

ACTION: Res. 76-1158 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment. (Finance to handle)

- (n) Curb and sidewalk along Enslen Avenue and Coldwell Avenue at 601 Coldwell Avenue, Lot 12 of Block 715. (Carl L. Rohlwing - \$1,252.10)  
(Drop from agenda)

DROPPED

- (o) Sidewalk along Wilson Avenue at 1005 Roble Avenue, a portion of Block 2028. (Michael J. Rose - \$205.75)

ACTION: Res. 76-1159 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment. (Finance to handle)

- (p) Curb and sidewalk along Stoddard Avenue at 1114, 1116, and 1122 Stoddard Avenue, Lot 3, 4 and 5 of Block 447. (Society for Crippled Children and Adults - \$1,357.00)  
(Staff recommends payment over a period of 10-years)

ACTION: Res. 76-1160 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment (over a period of 10-years). (Finance to handle)

10. Hearings on cost of construction of sidewalks, etc. 4:05 P.M.  
continued.

(q) Sidewalk along College Avenue at 1046 Yale Avenue, a portion of Block 812. (Berdina Watson - \$442.75)

ACTION: Res. 76-1161 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment. (Finance to handle)

(r) Sidewalk along Valle Vista Avenue and Tokay Avenue at 600 Tokay Avenue, Lot 9 of Block 6907. (John W. Wilson - \$588.00)  
(Staff recommends payment over a period of 10-years)

ACTION: Res. 76-1162 adopted (Elliott/Dunlap, unan. - Newton, absent) confirming report, assessing costs and directing method of payment (over a period of 10-years). (Finance to handle)

11. Hearing on amendment to Section 8-3-9 of the zoning map to rezone from Low Density Residential Zone, R-1, to Planned Development Zone, P-D(145), to permit construction of a 99-dwelling unit senior citizens housing project, property located on the east side of Napier Drive north of West Rumble Rd. 4:10 P.M.  
(Parkview Christian Estates)

ACTION: Ord. No. 1558-C.S. introduced (Dunlap/Siefkin, unan. - Newton, absent) rezoning area. Clerk to handle)

Res. 76-1163 adopted (Dunlap/Siefkin, unan. - Newton, absent) approving development plan P-D(145). (Planning to handle)

Res. 76-1164 adopted (Dunlap/Siefkin, unan. - Newton, absent) directing Director of Planning & Community Development to file Notice re Environmental Review. (Planning to handle)

12. Matters for the good of the community. 4:15 P.M.  
(These may be presented by interested persons in the audience)

NONE

#### ORDINANCES

13. Final adoption of ordinances.

(a) Ord. No. 1556-C.S. relating to taxicab rates.

ACTION: By motion (Dunlap/Elliott, unan. - Kullijian and Newton, absent) Ord. No. 1556-C.S. adopted. (Clerk to handle)

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

CONSENT

(b) Ord. No. 1555-C.S. relating to building regulations.

ACTION: By motion, Ord. No. 1555-C.S. adopted. (Clerk to handle)

CONSENT

(c) Ord. No. 1557-C.S. relating to off-street parking.  
(Motions adopting needed)

ACTION: By motion, Ord. No. 1557-C.S. adopted. (Clerk to handle)

NEW BUSINESS

CONSENT

14. Resolution withdrawing the Carpenter-Elm Addition from the Woodland Fire District.  
(This Addition was annexed to the City effective October 8, 1976.  
Resolution withdrawing from Fire District needed)

ACTION: Res. 76-1165 adopted withdrawing Carpenter-Elm Addition from the Woodland Fire District. (Clerk to handle)

CONSENT

15. Resolution setting hearing to determine that the public interest and convenience require that the Carpenter-Elm Addition be annexed to Modesto Municipal Sewer District No. 1.  
(This Addition was annexed to the City effective October 8, 1976.  
Resolution setting December 6, 1976 at 4:00 P.M. for public hearing needed. (two-thirds affirmative vote required)

ACTION: Res. 76-1166 adopted setting hearing. (Clerk to handle)

16. Housing Maintenance Program recommendations regarding: (1) Proposed agreement with Crocker National Bank for an interest subsidy loan program; (2) Housing Maintenance Program interest rates; (3) Location of Second Year activities.  
(Three resolutions needed: (1) Approving agreement with Crocker National Bank; (2) Establishing interest rates of 3% and 5% for the Housing Maintenance Program; (3) Establishing second year activities of the Housing Maintenance Program in Phase II of the 21 1/2 block target area on the near Westside to include 8 blocks or more.)

ACTION: Res. 76-1167 adopted (Elliott/Kullijian, unan. - Newton, absent) approving agreement with Crocker National Bank. (Planning to handle)

Res. 76-1168 adopted (Elliott/Kullijian, unan. - Newton, absent) establishing Housing Maintenance Program interest rates. (Planning to handle)

Res. 76-1169 adopted (Elliott/Kullijian, unan. - Newton, absent) redirecting second year Housing Maintenance Program to near West side. (Planning to handle)

CONSENT

17. Consider authorizing City Manager to sign agreement with Senior Opportunity Service Programs of Stanislaus County, Inc., to employ senior citizens on a part-time basis.  
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 76-1170 adopted approving agreement. (Personnel to handle)

CONSENT

18. Consider reclassification of Assistant Offset Duplicating Equipment Operator to Office Services Clerk.  
(Resolution revising Position Classification Plan and resolution amending salary schedules needed. Memo with agenda)

ACTION: Res. 76-1171 adopted revising Position Classification Plan.

Res. 76-1172 adopted amending Salary Schedule. (Personnel to handle)

**CONSENT**

19. Consider approval of the final map of the Sylvan Meadows East 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: Stone Bros. & Associates, a partnership. The subdivision agreement has been signed and all fees paid. This subdivision is located on the east side of Coffee Road north of Sylvan Avenue. It contains 16.508 acres. Resolution approving final map needed)

ACTION: Res. 76-1173 adopted approving final map of Sylvan Meadows East No. 5 Subdivision. (Clerk to handle)

20. Oral presentation of preliminary master plan for Beyer Community Park.  
(Motion approving preliminary plan needed)

DROPPED FROM AGENDA

**CONSENT**

21. Swift Aire Lines, Inc. application to the Public Utilities Commission for certification to serve Modesto.  
(Staff and the Modesto Chamber of Commerce have been working to generate better air service to Modesto. Swift Aire Lines filed a petition with the Public Utilities Commission for service to Modesto on October 13, 1976. Motion referring to staff for report and recommendation needed)

ACTION: By motion, referred to staff. (P/W to handle)

REPORTS

**CONSENT**

22. Presentation of financial statement for September 1976.  
(Report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

MISCELLANEOUS

23. Appropriation transfers.

NONE

24. Legislation.

(a) Letter from District Attorney re Proposition 13.

ACTION: By motion (Siefkin/Mensing, maj. - Dunlap & Kullijian, no - Newton, absent) action delayed until the next Council meeting to give the proponents an opportunity to be heard. (Clerk to handle)

25. Appointments.

NONE

26. Matters too late for the agenda.

ACTION: Councilmember Kullijian presented a letter from Dr. Weinberg regarding the appearance of the downtown Central Core. By motion (Kullijian/Dunlap, unan. - Newton, absent) referred to staff for report. (C/Mgr to handle)

The meeting was adjourned at 5:10 P.M. to Friday, October 22, 1976, at 12:00 noon for an executive session of the City Council and Personnel Commission.

Adjournment at 5:10 P.M.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

Modesto City Council  
Adjourned Meeting  
October 22, 1976  
12:00 noon

The Council of the City of Modesto met pursuant to adjournment at 12:00 noon in the City Hall Law Library, 801 Eleventh Street, Modesto, California, for an executive session with the Personnel Commission.

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

Absent: Councilmember: Newton

The executive session adjourned at 3:00 P.M.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, OCTOBER 25, 1976 AT 7:30 P.M.

Roll Call Present: Councilmembers Dunlap, Kullijian, Mensinger, Siefkin,  
Vice Mayor Elliott

Absent: Councilmembers Newton and Mayor Davies

Pledge of allegiance to the Flag

Invocation by Reverend Peter Van Tuinen, Christian Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 11, 12, 13, 14,  
Items 4, 10 & 21 dropped from agenda 15, 16, 19, 20, 22  
Dunlap/Kullijian, unan. - Newton and  
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)

COMMUNICATIONS

1. Letter from Don T. Rainey regarding planting of city tree at 2005 Ginnywood.

ACTION: Res. 76-1174 adopted (Kullijian/Dunlap, unan. - Newton and Mayor Davies, absent) to retain the present street tree ordinance and not permit the requested exception. (P & R to handle)

BIDS

CONSENT

2. Consider award of contract for construction of waterlines in Flint-ridge Estates No. 3.  
(Bids were opened October 19, 1976. The low bid of \$21,819.75 submitted by Joe Martin is 12% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$21,819.75. Funds are budgeted)

ACTION: Res. 76-1175 adopted awarding contract to Joe Martin. (P/W to handle)

CONSENT

3. Consider acceptance of Western Pipeline Co.'s contract for construction of waterlines in Lincoln Square No. 4 and Orangeburg Heights.  
(Original contract \$30,237. 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 record notice of completion. Resolution accepting work as complete needed. Final cost, contract, \$32,278.98; Main, \$32,151.98; Services, \$127. Funds are budgeted)

ACTION: Res. 76-1176 adopted accepting contract as complete. (Clerk to handle)

CONSENT

4. Consider acceptance of Western Pipeline Co.'s contract for waterlines in Sonoma Plaza No. 2 and Strathmore Village No. 2. (Original contract \$25,504. 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 record notice of completion. Resolution accepting work as complete needed. Final cost, contract \$26,520.34; Main, \$19,520.34; Services \$7,000. Funds are budgeted)

DROPPED FROM AGENDA

CONSENT

5. Consider declaring Brady-Holmes Co. of Sacramento as the sole bidder and authorizing the purchase of two rake and vacuum machines for \$11,402. (Memo with agenda. Resolution awarding contract needed. Estimated cost \$11,402. Funds are budgeted)

ACTION: Res. 76-1177 adopted awarding bid to Brady-Holmes Co. (Finance to handle)

HEARINGS

6. Hearing, vacation and abandonment of 6' public walkway between Crestview Drive in Block 1101 of Downey Park No. 3 Subdivision and Carnation Court in Block 1097 of Rose Gardens Unit No. 2 Subdivision. 7:30 P.M.

ACTION: By motion (Dunlap/Kullijian) Planning Commission recommendation accepted and staff directed to prepare necessary documents.

Motion amended (Mensingher/Siefkin, unan. - Newton and Mayor Davies, absent) to provide that City pay 1/2 of cost of moving water valves.

By motion (Dunlap/Kullijian, unan. - Newton and Mayor Davies, absent) Planning Commission recommendation accepted and staff directed to prepare necessary documents with City paying half the cost of moving water valves. (Planning to handle)

7. Hearing on request of United Pentecostal Church for an unclassified use permit for a parochial school on the northerly side of Tuolumne Boulevard on both sides of Calaveras Avenue. 7:35 P.M.

ACTION: Res. 76-1178 adopted (Dunlap/Siefkin, unan. - Newton and Mayor Davies, absent) approving request. (Planning to handle)

8. Hearing on appeal of Ronald Towery to decision of Planning Commission denying an application for rezoning from R-1 to P-D, property located on the north side of Union Avenue extended and south of Union Avenue west of Bridgeford Lane, and at the southeast corner of Bridgeford and Union. 7:40 P.M.

ACTION: A motion by Councilmember Kullijian to continue this hearing until all Councilmembers were present died for lack of a second.

Res. 76-1179 adopted (Elliott/Dunlap, maj. - Siefkin, no - Newton and Mayor Davies, absent) denying appeal. (Planning to handle)

9. Matters for the good of the community. 7:45 P.M.  
(These may be presented by interested persons in the audience)

ACTION: Acting Mayor Elliott introduced John de Boer, member of the Farm-City Advisory Committee.

Mike Fraioli asked the City to provide free bus rides to anyone displaying the "I have voted" tag. By motion (Siefkin/Kullijian, unan.) the request was approved. (Parking & Traffic to handle)

Jerry Chisum asked that the City check into the possibility of stopping the showing of obscene and violent movies at the drive-in theater north of the Sherwood Forest area. By Order of the Chair, the staff is to check into the problem and report back to Council. (C/Atty to handle)

#### NEW BUSINESS

10. Consider supplemental agreement to Master Agreement on Federal Aid Urban Systems Program which adds the Kansas-Needham Project. (Memo with agenda. Resolution authorizing execution of agreement needed. Estimated cost \$540,000. \$183,000 budgeted. Adjustment to funds to be budgeted in 1977-78 CIP)

DROPPED FROM AGENDA

#### CONSENT

11. Adjustment to Housing and Community Development Fund to accommodate the current fiscal year's Direct Grant and Loan Programs and implement the recently approved Interest Subsidy Program administered by the Crocker National Bank. (Memo with agenda. Resolution approving fund adjustment needed)

ACTION: Res. 76-1180 adopted approving fund adjustment to Housing and Community Development Fund. (Finance to handle)

#### CONSENT

12. Consider agreements for installation of flashing light signals at Modesto and Empire Traction crossings of Empire, Daly and Riverside. (Memo with agenda. Costs for lights will be shared between the City and M. & E. T. for the Empire crossing and will be shared between the City, M. & E. T., and County for the Daly and Riverside crossings. Three resolutions approving agreements needed. Estimated cost \$25,312.75. Sufficient funds are available in the budget to cover City's share of all three installations)

ACTION: Res. 76-1181 adopted approving agreement with M. & E. T. for the installation of flashing light signals at Empire Ave. crossing.

Res. 76-1182 adopted approving agreement with M. & E. T. and County of Stanislaus for the installation of flashing light signals at Daly Ave. crossing.

Res. 76-1183 adopted approving agreement with M. & E. T. and County of Stanislaus for the installation of flashing light signals at Riverside Ave. crossing. (Parking & Traffic to handle)

**CONSENT**

13. Resolution setting hearing to determine that the public interest and convenience require that the Rosemore-Woodland Addition be annexed to the Modesto Municipal Sewer District No. 1.  
(This Addition was annexed to the City effective October 14, 1976.  
Resolution setting December 13, 1976 at 7:30 P.M. for hearing needed.  
(2/3 affirmative vote required)

ACTION: Res. 76-1184 adopted setting hearing. (Clerk to handle)

**CONSENT**

14. A resolution setting hearing to determine that the public interest and convenience require that the North Coffee No. 1 Addition be annexed to the Modesto Municipal Sewer District No. 1.  
(This addition was annexed to the City effective October 14, 1976.  
Resolution setting December 13, 1976 at 7:35 P.M. for public hearing needed. (2/3 affirmative vote required)

ACTION: Res. 76-1185 adopted setting hearing. (Clerk to handle)

**CONSENT**

15. Resolution withdrawing the Rosemore-Woodland Addition from the Woodland Fire District.  
(This addition was annexed to the City of Modesto effective October 14, 1976. Resolution withdrawing from fire district needed)

ACTION: Res. 76-1186 adopted withdrawing Rosemore-Woodland Addition from the Woodland Fire District. (Clerk to handle)

**CONSENT**

16. Resolution withdrawing North Coffee No. 1 Addition from the Riverbank Fire District.  
(This Addition was annexed to the City effective October 14, 1976.  
Resolution withdrawing addition from Fire District needed)

ACTION: Res. 76-1187 adopted withdrawing North Coffee No. 1 Addition from the Riverbank Fire District. (Clerk to handle)

17. Discussion of use of a portion of the former Lincoln School Site for a senior citizens' apartment building.

ACTION: By motion (Dunlap/Siefkin, maj. - Kullijian, no - Newton and Mayor Davies, absent) Ralston Tower group is encouraged to look into other options for allocation for a second tower. (C/Mgr to handle)

18. Consider City Hospital leasing temporary parking on the Lincoln School site.  
(The lease would allow City Hospital non-exclusive, temporary parking through December 31, 1978. Memo with agenda. Resolution approving agreement needed)

ACTION: By motion (Mensing/Siefkin) staff directed to prepare a lease agreement.

Motion amended (Dunlap/Kullijian, unan. - Newton and Mayor Davies, absent) to include a clause in the lease to make it possible to change the parking area to a different location on the site if the area used for parking is needed for something else. (Parking & Traffic to handle)

CONSENT

19. Consider authorizing termination of lease agreement with Marin Aviation, Inc. at the Modesto City-County Airport/Harry Sham Field. (Marin Aviation, Inc. has advised that as of August 15, 1976 they are no longer stopping at the Modesto City-County Airport. It is therefore recommended the lease be terminated. Memo with agenda. Resolution authorizing termination of agreement needed)

ACTION: Res. 76-1188 adopted authorizing termination of agreement.  
(P/W to handle)

CONSENT

20. Consider developing plans for General Aviation Aircraft Facilities in conjunction with the Tuolumne Regional Park Project. (State Airport Recreation funds may be available to construct General Aviation Aircraft Facilities at the proposed Tuolumne Regional Park. It is recommended a consultant be retained, conceptual plans be prepared, and an application for funding be prepared and transmitted to the State Division of Aeronautics. Memo with agenda. Resolution authorizing retention of consultant and resolution approving appropriation transfer needed)

ACTION: Res. 76-1189 adopted authorizing retention of consultant.  
(P/W to handle)

Res. 76-1190 adopted approving appropriation transfer of \$550 from Account 5304-460-230 to Account 5308-460-230. (Finance to handle)

21. Consider increasing fees for street name signs in new subdivisions. (Memo with agenda. The former standard non-reflective signs are no longer available. A new standard sign with similar appearance and reflective for better night visibility is recommended. The recommended fee per intersection is \$87. Resolution rescinding Resolution 75-402 and establishing a fee of \$87 per intersection needed).

DROPPED FROM AGENDA

REPORTS

CONSENT

22. Presentation of annual financial audit and approval of payment for audit. (The fiscal records of the City of Modesto have been audited by Gunderson & Company, Certified Public Accountants. Copies of the audit report are with agenda. Motion accepting audit and authorizing payment needed. Estimated cost \$4,000. Funds are budgeted)

ACTION: By motion, report accepted and payment authorized. (Finance to handle)

MISCELLANEOUS

23. Legislation.

ACTION: (Mention letter from Stahl re opposition to Proposition 13)

By motion (Dunlap/Kullijian, unan. - Newton and Mayor Davies, absent) Council opposed Proposition 13.

By motion (Mensing/Siefkin, unan. - Newton and Mayor Davies, absent) Council supported Proposition 1. (C/Mgr to handle)

24. Appointments.

NONE

25. Matters too late for the agenda.

ACTION: The City Manager reminded the Council of the proposed sign ordinance study meeting Monday, November 1, 1976 at 7:30 P.M. and said November 4 at 3:00 P.M. has been agreed upon for a priorities study session.

Adjourned at 11:00 P.M.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

## MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 1, 1976 AT 4:00 P.M.

Roll call Present: Councilmembers Dunlap, Elliott, Kullijian, Mensinger,  
Newton, Siefkin, Mayor Davies  
Absent: None  
(Councilmember Siefkin arrived at 4:05 P.M. and Council-  
member Newton arrived at 4:07 P.M.)

Pledge of allegiance to the Flag.

Invocation by Reverend Dennis Schlecht, Grace Lutheran Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 5, 6, 8, 9, 14, 15,  
Item 7 dropped from agenda 16, 19, 20, 21, 22, 23, 24,  
Item 18 removed from consent 25  
Dunlap/Mensinger, unan. - Newton 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 October 18, 1976, regular meeting; the October 21, 1976, adjourned meeting; the October 22, 1976 adjourned meeting; and the October 25, 1976, regular meeting.  
(Motion approving needed)

ACTION: By motion, minutes of October 18, 21, 22 and 25, 1976 approved, and corrected minutes of October 4, 1976 approved.

### COMMUNICATIONS

2. Letter from Mr. Lynn Lee Buechler regarding street trees.

ACTION: Res. 76-1191 adopted (Kullijian/Dunlap, unan.) denying appeal.  
(Clerk to handle)

3. Letter from National League of Cities regarding designation of voting delegate and alternate for Annual Congress of Cities.

ACTION: By motion (Elliott/Kullijian, unan.) Mayor Davies designated as delegate and Councilmember Mensinger as alternate. (Clerk to handle)

4. Letter from Modesto Junior Chamber of Commerce regarding formation of a Town Action Council.

ACTION: No one from the Modesto Junior Chamber of Commerce was present.

## BIDS

### CONSENT

5. Consider acceptance of Western Pipeline Co.'s contract for waterlines in Sonoma Plaza No. 2 and Strathmore Village No. 2. (Original contract \$25,504). 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, \$26,520.34; Main, \$19,520.34. Services, \$7,000. Funds are budgeted)

ACTION: Res. 76-1192 adopted accepting contract as complete.  
(Clerk to handle)

### CONSENT

6. Consider acceptance of Western Pipeline's contract for construction of subtrunk sewer in Blue Gum Avenue - Poust to 330 feet east. (Original contract, \$9,760. 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, \$9,760. Funds are budgeted)

ACTION: Res. 76-1193 adopted accepting contract as complete. (Clerk to handle)

7. Consider acceptance of Smith Electric Co.'s contract for street light modernization, Phase VII. (Original contract \$134,965.00. 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, \$139,107.60. Funds are budgeted)

DROPPED FROM AGENDA

### CONSENT

8. Consider acceptance of Mark Grover Landscaping's contract for construction of irrigation systems and planting at Coleman Brown and Chrysler Park. (Original contract, \$93,757. All work on this project has been completed to the satisfaction of the Park and Recreation Department and 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: Construct, \$96,113.86; Brown - \$45,091.66; Chrysler, \$51,022.20. Funds are budgeted)

ACTION: Res. 76-1194 adopted accepting contract as complete. (Clerk to handle)

### CONSENT

9. Consider award of contract for construction of additional rip rap on oxidation pond levees. (Bids were opened October 26, 1976. The low bid of \$20,160 submitted by Lee White Paving Co. 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 Lee White Paving Co. needed. Estimated cost \$20,160. Funds are budgeted)

ACTION: Res. 76-1195 adopted awarding contract to Lee White Paving Co.  
(P/W to handle)

## HEARINGS

10. Hearing, amendment to Section 8-3-9 of the zoning map to rezone from R-1 to R-2, property located on the south side of Union Avenue, west of McHenry Avenue. (Rule-Dale Enterprises) 4:05 P.M.

ACTION: Ord. No. 1559-C.S. introduced (Elliott/Dunlap, unan.) rezoning area. (Clerk to handle)

Res. 76-1196 adopted (Elliott/Dunlap, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

11. Hearing, proposed amendment to Sections 11-3-8 and 14-3-8 of the zoning map to rezone from R-1 to H-1, property located on the west side of Dale Road south of Beckwith Road overpass. (Sanders Construction) 4:10 P.M.

ACTION: Ord. No. 1560-C.S. introduced (Dunlap/Mensing, unan.) rezoning area. (Clerk to handle)

Res. 76-1197 adopted (Dunlap/Mensing, unan.) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

12. Hearing, appeal of Chet Cummins to decision of Planning Commission denying rezoning to permit construction of business park on property located on the south side of Blue Gum Avenue on the west side of Carpenter Road. 4:15 P.M.

ACTION: By motion (Elliott/Kullijian, maj. - Dunlap and Siefkin, no) requested rezoning and concept of development approved and staff requested to work with developer on plans and conditions and return it to the Council in two weeks. (Planning to handle)

13. Matters for the good of the community. 4:20 P.M.  
(These may be presented by interested persons in the audience)

NONE

## ORDINANCES

### CONSENT

14. Final adoption of Ordinance No. 1558-C.S. amending Section Map 8-3-9. (Parkview Christian Estates)

ACTION: By motion, Ord. No. 1558-C.S. adopted. (Clerk to handle)

### CONSENT

15. Consideration of parking for vehicles used or operated for or on behalf of the City.  
(Memo with agenda. Introduction of ordinance needed)

ACTION: Ord. No. 1561-C.S. introduced adding Section 3-2.1510.1 to Article 15 of Chapter 2 of Title III of the Modesto Municipal Code relating to parking. (Clerk to handle)

UNFINISHED BUSINESS

CONSENT

16. Consider City Hospital leasing temporary parking on the Lincoln School site.  
(The lease would allow City Hospital non-exclusive, temporary parking through December 31, 1978. Memo with agenda. Resolution approving agreement needed. No cost to City.)

ACTION: Res. 76-1198 adopted approving agreement with Modesto City Hospital. (Parking & Traffic to handle)

NEW BUSINESS

17. Oral presentation of preliminary master plan for Beyer Community Park.  
(Motion approving preliminary plan needed)

ACTION: By motion (Elliott/Dunlap, unan.) plan approved. (P & R to handle)

18. Consider reclassification of Housing Counselor to Rehabilitation Specialist.  
(Memo with agenda. Resolution revising Position Classification Plan and resolution amending salary schedules needed. No cost to City)

ACTION: Res. 76-1199 adopted (Mensinger/Siefkin, unan.) revising Position Classification Plan. (Personnel to handle)

Res. 76-1200 adopted (Mensinger/Siefkin, unan.) amending salary schedule. (Personnel to handle)

CONSENT

19. Requirement for construction of curbs and/or sidewalks at the location listed below. (76-07-01 - 76/09/02).  
(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 7:35 P.M. on November 22, 1976 for public hearings needed)

- (a) Sidewalk at 1130 Coffee Road, a portion of Block 1099. (Downey Park Properties)
- (b) Sidewalk along Thirteenth Street and Needham Street at 1226 and 1230 Thirteenth St., Lots 29, 30, 31 and 32 of Block 109. (Eugene W. Crismon).
- (c) Sidewalk along Needham Street at 102 Hackberry Avenue, a portion of Block 524. (Bonnie A. Ryan and Robert P. Baker).
- (d) Curb at 111 Bodem Street, Lot 25 and 26, Block 589. (L. R. Van Horn, Jr.)
- (e) Curb along Bodem Street at 117 Bodem Street, a portion of Block 589. (Arthur S. Wylie).
- (f) Curb and sidewalk along W. Morris Ave. at 412 Park Ave. and 445 Sycamore Ave., Lots 1 and 2 of Block 537. (Hubert M. Brockett)
- (g) Sidewalk along W. Morris Avenue at 608 W. Morris Avenue, a portion of Block 523. (Vivian Holtham).

CONSENT

19. Requirement, curbs and/or sidewalks (continued)

- (h) Sidewalk along W. Morris Avenue at 440 Hackberry Ave., Lot 1 of Block 523. (Robert Howard Smith).
- (i) Curb and sidewalk along Sycamore Avenue at 320 Smith Ave., a portion of Block 705. (Jenette Hachez)
- (j) Curb and sidewalk at 608 Sycamore Ave., a portion of Block 540. (Davis S. Kerwin Jr.).
- (k) Sidewalk at 612 Sycamore Avenue, a portion of Block 705. (Gary Kessler)
- (l) Curb and sidewalk at 616 Sycamore Ave., a portion of Block 705. (Edwin Lincoln Kyte).
- (m) Curb and sidewalk at 624 Sycamore Ave., a portion of Block 705. (John A. Paoluccio).
- (n) Curb and sidewalk at 620 Sycamore Ave., a portion of Block 705. (Glen L. Ramont).
- (o) Curb at 2601 Whitcomb Way, Lot 35 of Block 7253. (L. R. Van Horn Jr.)

ACTION: Res. 76-1201 adopted setting hearing. (Clerk to handle)

CONSENT

20. Consider authorizing applications for Federal Aid Highway Safety Program projects.  
(Memo with agenda. It is recommended that the Council approve applications for \$135,000 (90% to cover various highway safety projects costing \$150,000. Resolutions approving applications needed. Estimated cost, \$15,000. Funds will be requested when federal approval is obtained.)

ACTION: Res. 76-1202 adopted approving applications for Federal Aid Highway Safety Program projects. (P & T to handle)

CONSENT

21. Consider acceptance of improvements in Lincoln Square No. 4 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.  
(Developer, Mid Coast Mortgage Company). Lincoln Square No. 4 Yosemite Blvd. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid.  
(Resolution accepting improvements needed)

ACTION: Res. 76-1203 adopted accepting improvements in Lincoln Square No. 4 Subdivision. (Clerk to handle)

CONSENT

22. Housing Maintenance Program recommendation regarding proposed agreement with Self-Help Enterprises to purchase their services pursuant to the program as established and approved by City Council.  
(Resolution approving agreement needed. Estimated cost \$42,000. Appropriation transfer to be processed after City Council approval of SHE agreement)

ACTION: Res. 76-1204 adopted approving agreement with Self-Help Enterprises. (Planning to handle)

**CONSENT**

23. Adjustment to the General Fund budget to enable the financing of Termatrix Data Retrieval System with grant funds recently authorized by the Business and Transportation Agency, State of California. (Letter from the Office of Traffic Safety approving grant application in the amount of \$7,912 with agenda. Resolution amending budget needed)

ACTION: Res. 76-1205 adopted amending budget to enable financing for a traffic accident data system. (Finance to handle)

**CONSENT**

24. Vacation and abandonment of 6' public walkway between Crestview Drive in Block 1101 of Downey Park No. 3 Subdivision and Carnation Court in Block 1097 of Rose Gardens Unit No. 2 Subdivision. (On October 25, 1976, the Council held a public hearing in regard to the walkway abandonment and continued the matter until the applicants posted a deposit for one-half of the cost of installing a water valve. The deposit has now been posted and an abandonment agreement has been signed by the applicants. Resolution vacating and abandoning walkway needed)

ACTION: Res. 1342-S.P. adopted vacating and abandoning walkway. (P/W to handle)

REPORTS

**CONSENT**

25. Modesto Chamber of Commerce Quarterly Report. (Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

- 25A Status report on implementation of the amendment to the Building Code to permit installation of security grills (overhead roll up doors) on commercial businesses located in mall facilities. (Oral report will be made at meeting).

ACTION: By motion (Dunlap/Elliott, unan.) staff report and recommendations approved. (P/W to handle)

26. Uninhabited annexation to the City of Modesto - Oakdale-Sylvan Addition. (The LAF Commission has authorized this annexation without notice of public hearing - October 22, 1976. (Resolution approving annexation needed)

ACTION: Res. 76-1206 adopted (Dunlap/Elliott, unan.) annexing area. (Clerk to handle)

27. Uninhabited annexation to the City of Modesto - Sylvan No. 3 Addition. (The LAF Commission has authorized this annexation without notice of public hearing and upheld City's protest to open space contract - October 22, 1976. Resolution approving annexation and electing not to succeed to County open space contract needed)

ACTION: Res. 76-1207 adopted (Kullijian/Newton, unan.) annexing area. (Clerk to handle)

MISCELLANEOUS

28. Legislation.

NONE

29. Appointments.

NONE

30. Matters too late for the agenda.

NONE

Adjourned at 6:30 P.M. to Howard's Restaurant, 1312 McHenry Ave. for dinner.

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

Adjourned to Council Chambers at 7:50 P.M. to discuss the proposed sign ordinance and then to Thursday, November 4, 1976, at 3:00 P.M. in the Council Chambers to discuss City priorities.

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

Modesto City Council  
Adjourned Regular Meeting  
November 1, 1976  
7:50 P.M.

The Council of the City of Modesto met pursuant to adjournment at 7:50 P.M. in the Council Chambers, 801 Eleventh Street, Modesto, California, to discuss the proposed sign ordinance.

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

Absent: Councilmembers: None  
(Councilmember Siefkin arrived at 9:25 P.M.)

By motion (Dunlap/Mayor Davies) to tentatively approve:

A maximum of 20 feet height, 70 square feet area be the standard for freestanding identification signs in the commercial and industrial zones;

A maximum of 35 feet height, 70 square feet area be the standard for projecting identification signs in the commercial and industrial zones;

A 10 year amortization schedule for the abatement of signs made non-conforming by all of the new sign code text amendments currently under consideration;

A 10 year "grandfather" provision for existing signs on pylons that are an integral part of a building, list to be prepared by staff.

The motion was amended (Dunlap/Mayor Davies) to set a maximum of 72 square feet. The motion, as amended, carried, Kullijian and Siefkin, no.

The City Council's next sign ordinance study meeting will be Monday, November 15, 1976 at 7:30 P.M.

The meeting adjourned at 9:50 P.M. to Thursday, November 4, 1976, at 3:00 P.M. in the Council Chambers to discuss priorities.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

Modesto City Council  
Adjourned Regular Meeting  
November 4, 1976  
3:00 P.M.

The Council of the City of Modesto met pursuant to adjournment at 3:00 P.M. in the City Hall Law Library, 801 Eleventh Street, Modesto, California, to discuss City projects and establish priorities.

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

Absent: Councilmembers: None

By motion (Elliott/Dunlap, unan.) Council directed the staff to proceed with a study of the community center complex, including a parking structure-transportation center, and the possibility of placing these facilities in the immediate downtown area. (C/Mgr to handle)

By motion (Elliott/Dunlap, unan.) the Council encouraged the senior citizens interested in a full-service center to continue to develop their plans and get a commitment from the County regarding what it would be willing to do on the capital or construction costs of the building.

The meeting 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, NOVEMBER 8, 1976 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.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 7, 8, 10, 11,  
Item 9 dropped from agenda. 14, 17, 18, 19, 20, 21, 22, 23,  
Dunlap/Mensinger, unan. 24, 25, 26, 29, 30

(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 November 1, 1976, regular meeting, and November 1, 1976 adjourned regular meeting.  
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Modesto Junior Chamber of Commerce regarding a Town Action Council.

ACTION: Modesto Junior Chamber was commended on its efforts to set up a Town Action Council.  
By Order of the Chair, the City Manager was asked to meet with County staff re a problem with a County juvenile home on Elm Avenue. (C/Mgr to handle)

BIDS

CONSENT

3. Approve plans and specifications and call for bids for revised street light circuit on McHenry Avenue between Fairmont Avenue and Orangeburg Avenue.  
(Bid opening November 30, 1976 at 11:00 A.M. This project will upgrade the lighting in this section of McHenry Avenue. High pressure sodium luminaires will be installed. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost \$13,925 (Contr. \$12,907; Engr. \$968). Funds are budgeted)

ACTION: Res. 76-1208 adopted approving plans, specifications and bid call.  
(P/W to handle)

CONSENT

4. Consider approval of plans and specifications and call for bids for construction of picnic areas, barbecues and miscellaneous improvements at Rose Avenue Park, Sutter Park, and Woodrow Park.  
(Suggested bid opening date November 23, 1976 at 11:05 A.M. These projects are planned as part of the general improvements for these parks. Resolution approving bid call needed. Estimated cost \$42,800.40 (\$41,017.05 Const.; \$1,783.35 Insp. Funds are budgeted)

ACTION: Res. 76-1209 adopted approving plans, specifications and bid call.  
(P/W to handle)

CONSENT

5. Consider approval of specifications and authorizing call for bids to be opened November 30, 1976 at 2:00 P.M. and for furnishing automotive equipment.  
(Memo with agenda. Resolution authorizing call for bids needed. Estimated cost \$150,459. Funds are budgeted)

ACTION: Res. 76-1210 adopted approving specifications and call for bids.  
(Finance to handle)

CONSENT

7. Consider declaring H. V. Carter the lowest bidder meeting specifications and authorizing the purchase of two putting green mowers for the total amount of \$5,721.  
(Memo with agenda. Resolution authorizing purchase needed. Estimated cost \$5,721. Funds are budgeted)

ACTION: Res. 76-1211 adopted awarding bid to H. V. Carter. (Finance to handle)

CONSENT

8. Consider award of contract for construction of waterlines in Vintage Faire Subdivision.  
(Bids were opened November 2, 1976. The low bid of \$13,812 submitted by Joe Martin is 2% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost \$13,812. Funds are budgeted)

ACTION: Res. 76-1212 adopted awarding contract to Joe Martin. (P/W to handle)

9. Consider declaring Mark Grover Landscaping low bidder for tree planting at \$31.00 per site and authorizing the planting of 400 trees; also, authorizing the purchase of 100 Gingo Autumn trees at \$25.00 each, and 75 Photinia Fraseri trees at \$18.00 each from Gover Landscaping. Total purchase of services and trees - \$16,481. (2) Consider declaring Bothing Treeland lowest responsible bidder and authorizing the purchase of 175 Magnolia Russet trees at \$19.90 each; total purchase amount, \$3,691.45. (3) Consider authorizing the transfer of \$20,500. (1) Resolution authorizing purchase of service and trees from Grover Landscaping. (2) Resolution authorizing purchase of trees from Bothing Treeland. (3) Resolution authorizing transfer of funds and establishing a matching fund project needed) Estimated cost \$20,500.)

DROPPED FROM AGENDA

CONSENT

10. Consider acceptance of Smith Electric Co.'s contract for Street Light Modernization, Phase VII.  
(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, \$140,426.80. Funds are budgeted)

ACTION: Res. 76-1213 adopted accepting contract as complete. (Clerk to handle)

CONSENT

11. Consider acceptance of Western Pipeline's contract for construction of waterlines in Sonoma Park Subdivision. (Original contract \$5,040.20. 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, \$4,870.50. (Main: \$4,670.50; services, \$200. Funds are budgeted)

ACTION: Res. 76-1214 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

12. Hearing, annexation of Lincoln No. 4 to Modesto Municipal Sewer District No. 1. 7:30 P.M.

ACTION: Res. 76-1215 adopted (Kullijian/Dunlap, unan.) annexing Lincoln No. 4 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

13. Matters for the good of the community. 7:35 P.M.  
(These may be presented by interested persons in the audience)

ACTION: Rolando Quiones spoke about the needs of the soccer teams in Modesto. The Staff was asked to report back on how the City might help the teams.

Councilmember Kullijian introduced Reverend Jim Devine from Portland, Oregon, who is attending a conference at First Baptist Church in Modesto.

ORDINANCES

CONSENT

14. Final adoption of the following ordinances:  
(Motion adopting needed)

(a) Ord. No. 1559-C.S. amending Section Map 8-3-9. (Rule-Dale Enterprises)

ACTION: By motion, Ord. No. 1559-C.S. adopted. (Clerk to handle)

(b) Ord. No. 1561-C.S. amending Section 3-2.1510.1 of the Municipal Code relating to parking.

ACTION: By motion, Ord. No. 1561-C.S. adopted. (Clerk to handle)

UNFINISHED BUSINESS

15. Report by staff re complaint by Bill Han concerning weed abatement. (Memo with agenda. Motion accepting report needed)

ACTION: By motion (Kullijian/Siefkin, unan.) staff recommendation approved. (Finance to handle)

NEW BUSINESS

16. Resolution commending Salvation Army on 86 years of service to Modesto.

ACTION: Res. 76-1216 adopted (Elliott/Dunlap, unan.) commending Salvation Army. (Clerk to handle)

CONSENT

17. Resolution determining that the public interest and convenience require that Sylvan No. 3 Addition be annexed to Modesto Municipal Sewer District No. 1 and setting public hearing.  
(This addition was annexed to the City of Modesto effective November 3, 1976. Resolution setting December 20, 1976 at 4:00 P.M. for public hearing needed. (2/3 affirmative vote required))

ACTION: Res. 76-1217 adopted setting hearing. (Clerk to handle)

CONSENT

18. Resolution determining that the public interest and convenience require that the Oakdale-Sylvan Addition be annexed to the Modesto Municipal Sewer District No. 1 and setting public hearing.  
(This Addition was annexed to the City effective November 3, 1976. Resolution setting December 20, 1976 at 4:05 P.M. for public hearing needed. (two-thirds affirmative vote needed))

ACTION: Res. 76-1218 adopted setting hearing. (Clerk to handle)

CONSENT

19. Resolution withdrawing Sylvan No. 3 Addition from the Riverbank Fire District.  
(This addition was annexed to the City effective November 3, 1976. Resolution withdrawing Addition from Riverbank Fire District needed)

ACTION: Res. 76-1219 adopted withdrawing Sylvan No. 3 Addition from Riverbank Fire District. (Clerk to handle)

CONSENT

20. Resolution withdrawing the Oakdale-Sylvan Addition from the Riverbank Fire District.  
(This Addition was annexed to the City of Modesto effective November 3, 1976. Resolution withdrawing from Fire District needed)

ACTION: Res. 76-1220 adopted withdrawing Oakdale-Sylvan Addition from Riverbank Fire District. (Clerk to handle)

CONSENT

21. Consider supplemental agreement to Master Agreement on Federal Aid Urban Systems Program which adds the Kansas-Needham Project.  
(Memo with agenda. Resolution authorizing execution of agreement needed. Estimated cost \$540,000. Funds partially budgeted (\$183,000) Balance of funds to be budgeted in 1977-78 CIP)

ACTION: Res. 76-1221 adopted approving agreement. (P/W to handle)

CONSENT

22. Consider acceptance of improvements in Sylvan Meadows East No. 2 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.  
(Developer Stone Bros. and Associates. Sylvan Meadows East No. 2 Subdivision is located north of Sylvan Avenue and 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. 76-1222 adopted accepting improvements as complete in Sylvan Meadows East No. 2 Subdivision. (Clerk to handle)

CONSENT

23. Consider acceptance of improvements in Sonoma Plaza #2 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.  
(Developer Bomberger Bros., Inc. Sonoma Plaza #2 is located on the north side of East Orangeburg Avenue 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. 76-1223 adopted accepting improvements in Sonoma Plaza #2 Subdivision as complete. (Clerk to handle)

CONSENT

24. Consider acceptance of improvements in Persian Terrace #1 Subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.  
(Developer U. S. By-Products, Inc. This subdivision is located on the north side of Floyd Avenue east of Rose 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. 76-1224 adopted accepting improvements as complete in Persian Terrace #1 Subdivision. (Clerk to handle)

CONSENT

25. Consider release of proposed Scott Estates from Sewer and water agreements.  
(Memo with agenda. Resolution needed)

ACTION: Res. 76-1225 adopted releasing Scott Estates Subdivision from agreements for sewer service and water service. (Clerk to handle)

CONSENT

26. Consider recommendation that staff be directed to have the substandard buildings at 117 Sherman Avenue demolished.  
(Owner, Addie Pingree Estate. The building official ordered the buildings to be repaired or demolished; the order has not been complied with. Recommend the City have the buildings demolished and recoup expenses by a lien on the property. Resolution directing staff to have the buildings demolished needed. Estimated cost \$1,200. Funds are budgeted)

ACTION: Res. 76-1226 adopted directing staff to have the buildings demolished at 117 Sherman Avenue. (P/W to handle)

27. Request by Paul Zagaris, developer of Westridge Subdivision, to discuss sewer service costs to this subdivision.  
(Westridge Subdivision is located at the northeast corner of the Woodland-Rosemore Sts. intersection. Sewer service to this subdivision requires construction beyond the subdivision in order to connect to existing trunk sewers. Mr. Zagaris, developer of this subdivision, wishes to discuss with the Council the possibility of the City sharing sewer lateral costs that are normally paid for by the subdivider. Memo with agenda. Motion directing staff needed)

ACTION: By motion (Dunlap/Kullijian, maj. - Mayor Davies, no) that the City put in the sewer line to the border of Westridge Subdivision to promote growth on the west side. (P/W to handle)

REPORTS

28. Annual Urban Growth Policy Review.  
(The Public Projects Committee held hearings last month and formulated its recommendations to the Council for final action.  
(Motion adopting Committee recommendations needed)

ACTION: By motion (Elliott/Kullijian, unan.) the Council acknowledged receipt of the Public Projects Committee's report.

By motion (Elliott/Kullijian, unan.) Council approved Item 2 in the November 3, 1976, Public Projects Committee's report.

By motion (Elliott/Kullijian, unan.) Council approved Item 3 in the November 3, 1976 report.

By motion (Elliott/Kullijian, unan.) Council approved Item 4 in the November 3, 1976, report.

By motion (Elliott/Kullijian, unan.) Items 1 and 5 were held for further discussion at the regular Council meeting on November 22, 1976. (Clerk to handle)

(Councilmember Newton was excused at 11:15 P.M.)

CONSENT

29. Further report on bike lanes near Beyer High School.  
(Memo with agenda. On August 16, 1976 the Council asked that another look be taken to see what could be done about bike lanes near Beyer High School. Motion accepting report needed)

ACTION: By motion, report accepted.

APPROPRIATION TRANSFERS

CONSENT

30. Consider approving funds for annual medical examination for management and confidential employees for FY 1976-77.  
(City Council approved an annual physical program for management and confidential employees on July 6, 1976 as part of wage and benefit package for FY 1976-77. Resolution approving appropriation transfer needed. Estimated cost \$12,000.)

ACTION: Res. 76-1227 adopted approving appropriation transfer of \$12,000 from Account 60-800-101 to Account 42601-640-101. (Finance to handle)

MISCELLANEOUS

31. Legislation.

NONE

32. Appointments.

NONE

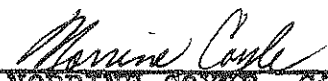
33. Matters too late for the agenda.

ACTION: Elwyn Johnson introduced Charlene Bomar Deputy City Attorney.

Councilmember Elliott requested an update on the Empire sewer service situation. (P/W to handle)

Adjournment at 11:18 P.M.

ATTEST:

  
NORRINE COYLE, City Clerk

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11/8/76

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 15, 1976 AT 4:00 P.M.

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

Pledge of allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 4, 5, 8, 9, 12, 14,  
Item 13 removed from consent 15, 16, 18, 20, 21, 22, 23,  
Siefkin/Dunlap, unan. - Elliott and 24, 25  
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 the November 4, 1976 adjourned regular meeting and the November 8, 1976 regular meeting.  
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Mrs. Jerry Stanford regarding street trees.

ACTION: Res. 76-1228 adopted (Siefkin/Dunlap, unan. - Elliott and Newton, absent) denying appeal and requesting Mrs. Stanford to work with the City staff about moving her trees. (P & R to handle)

3. Letter from Mrs. Margaret Allec regarding street trees.

ACTION: Res. 76-1229 adopted (Dunlap/Siefkin, unan. - Elliott and Newton, absent) denying appeal. (Clerk to handle)

CONSENT

4. Letter from Mid Valley Engineering appealing Planning Commission decision, Zagaris.  
(Resolution setting hearing December 13, 1976 at 7:40 P.M. needed)

ACTION: Res. 76-1230 adopted setting hearing. (Clerk to handle)

CONSENT

5. Letter from Mid Valley Engineering appealing Planning Commission decision. (Jim Rose.)  
(Resolution setting hearing December 13, 1976 at 7:50 P.M. needed)

ACTION: Res. 76-1231 adopted setting hearing. (Clerk to handle)

6. Letter from Roma Teel, District Superintendent, Empire Union School District, regarding sewer extensions.

ACTION: Mr. Teel informed of date of the next discussion of land use and sewer extensions. It was suggested that the Planning Department might be able to answer some of Mr. Teel's questions.

#### BIDS

7. Consider approval of plans and specifications and call for bids for construction of bicycle bridge across M.I.D. Lateral No. 4 at Roseburg Avenue and authorize the City Manager to sign agreement with M.I.D. for right of way use.  
(Suggested bid opening date November 30, 1976 at 11:10 A.M. This project will provide bicycle and pedestrian access across Lateral No. 4 at Roseburg Ave. (1) Resolution approving bid call needed. (2) Resolution approving agreement with M.I.D. needed. Funds are budgeted. Estimated cost \$7,500.)

ACTION: By motion (Kullijian/Dunlap, unan. - Elliott and Newton, absent) call for bids delayed until the report now being prepared by a consultant is submitted, but the delay is to be no longer than March 1, 1977. (P/W to handle)

#### CONSENT

8. Consider declaring Utility Body Company sole bidder and authorizing purchase of one cable reel and pole trailer for the total price of \$3,905.04.  
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted)

ACTION: Res. 76-1232 adopted awarding bid to Utility Body Company.  
(Finance to handle)

#### CONSENT

9. (a) Consider declaring Mark Grover Landscaping low bidder for tree planting at \$31.00 per site and authorizing the planting of 400 trees; also, authorizing the purchase of 100 Gingo autumn trees at \$25.00 each, and 75 Photinia Fraseri trees at \$18.00 each from Grover Landscaping. Total purchase of services and trees - \$16,481.00.  
(Resolution authorizing purchase of service and trees needed)

ACTION: Res. 76-1233 adopted awarding bid to Mark Grover Landscaping.  
(Finance to handle)

- (b) Consider declaring Boething Treeland lowest responsible bidder and authorizing the purchase of 150 Magnolia trees at \$19.90 and 25 Magnolias at \$28.50 each; total purchase, \$3,919.35.  
(Resolution authorizing purchase of trees from Boething Treeland needed)

ACTION: Res. 76-1234 adopted awarding bid to Boething Treeland.  
(Finance to handle)

- (c) Consider authorizing transfer of \$20,700.  
Resolution authorizing transfer of funds and establishing a matching fund project needed. (Memos with agenda)

ACTION: Res. 76-1235 adopted approving appropriation transfer of \$20,700 from Account 61-800-218 (\$10,350) and 62-800-218 (\$10,350) to Account 6794-060-218, and establishing matching city funds in amount of 50% of the cost of the Project. (Finance to handle)

### HEARINGS

10. Hearing, Bomberger Bros. appeal to the decision of the Planning Commission denying an application to rezone from Low Density Residential Zone, R-1, to Medium Density Residential Zone, R-3, and to Planned Development Zone, P-D, to permit construction of a commercial complex on property located at the northeast corner of Tully Road and Standiford Ave. 4:05 P.M.

ACTION: Res. 76-1236 adopted (Dunlap/Siefkin, unan. - Elliott and Newton, absent) denying appeal. (Clerk to handle)

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

NONE

### ORDINANCES

#### CONSENT

12. Final adoption of Ordinance No. 1560-C.S. amending Section maps 11-3-8 and 14-3-8 of the zoning map. (Sanders Construction Company)  
(Motion with roll call vote needed)

ACTION: By motion, Ord. No. 1560-C.S. adopted. (Clerk to handle)

### UNFINISHED BUSINESS

13. Further consideration of requested rezoning from R-1 and R-3 to P-D, property located at the southwest corner of Carpenter and Blue Gum.  
(On November 1, 1976, after a public hearing, the Council, by motion approved this requested rezoning in principle and directed the staff to prepare the necessary documents. Introduction of an ordinance and adoption of a resolution needed)

ACTION: By motion (Kullijian/Dunlap, unan. - Elliott and Newton, absent) to delay this item for one week. (Clerk to handle)

#### CONSENT

14. Modesto City-County Airport application by Swift Aire Lines, Inc. to the Public Utilities Commission for certification to serve Modesto.  
(On October 3, 1976 Swift Aire Lines filed a petition with the Public Utilities Commission to serve Modesto. On October 21, 1976, this matter was referred to the staff for a report. Report with agenda. Resolution supporting application needed)

(a) Letter from Greater Modesto Chamber of Commerce.

ACTION: Res. 76-1237 adopted supporting application. (Clerk to handle)

### NEW BUSINESS

#### CONSENT

15. Consider request by Don Monaco, Don's Mobile Glass, corner of 14th and H Streets to place an encroachment in the public right of way. Set informal public hearing for the Council meeting of November 22, 1976 at 7:40 P.M.  
(Mr. Monaco desires to modify the appearance of the front of his commercial operation. This modification will require the installation

CONSENT

15. Request by Don Monaco, continued.  
of a wood plank sidewalk and post to support an overhead canopy in the sidewalk area. Memo and drawing concerning the request will be distributed to Council with the November 22, 1976 agenda materials. Resolution setting informal public hearing for Monday, November 22 at 7:40 P.M. to consider encroachment in public right of way needed)

ACTION: Res. 76-1238 adopted setting hearing. (Clerk to handle)

CONSENT

16. Consider two lease agreements with Mr. and Mrs. Arnold C. Dickens for two parcels of land acquired for the Dry Creek Park.  
(Memo with agenda. Two resolutions approving execution of lease agreements needed)

ACTION: Res. 76-1239 adopted approving agreement with Mr. and Mrs. Arnold C. Dickens - Dry Creek Park.

Res. 76-1240 adopted approving agreement with Mr. and Mrs. Arnold C. Dickens - Riverside Park site. (P/W to handle)

17. Consider water supply to the Odd Fellows Cemetery.  
(A letter has been received from the State Cemetery Board requesting permission to drill a well at the Odd Fellows Cemetery. A copy of the letter and a memo are with the agenda. Resolution needed)

ACTION: Res. 76-1241 adopted (Dunlap/Kullijian, unan. - Elliott and Newton, absent) that the request to drill a new well be denied and the Odd Fellows Cemetery Association be allowed to spread the payment for water connection fees over a 10-year period.  
(Finance to handle)

CONSENT

18. Consider staffing of City Manager's office.  
(Memo with agenda. Motion approving needed. Funds are budgeted)

ACTION: By motion, request approved. (C/Mgr to handle)

REPORTS

19. Consider Master Plan for the Modesto City-County Airport/Harry Sham Field.  
(A Master Plan has been prepared and is ready for adoption. Motion adopting Master Plan needed)

ACTION: By motion (Siefkin/Mesninger, unan. - Elliott and Newton, absent) receipt of report acknowledged and the environmental document referred to the Environmental Assessment Committee. (P/W to handle)

CONSENT

20. Presentation of Financial Statement for October, 1976.  
(Copies of report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

21. Recommend amendment to Section 24-3-8 of the zoning map - Paul M. Zagaris.

(On October 26, 1976, the Planning Commission adopted Resolution 76-182 recommending to the Council an amendment to Section 24-3-8 of the zoning map to rezone from R-1 to R-2, property located on the south side of Blue Gum Avenue, west of Rosemore. The Commission, by the same motion, denied a portion of the request to rezone from R-1 to R-2, property located on the north side of Woodland. This matter has been appealed and will be before the Council for hearing at the same time. Resolution setting public hearing on December 13, 1976 at 7:40 P.M. needed).

ACTION: Res. 76-1242 adopted setting hearing. (Clerk to handle)

CONSENT

22. Recommend amendment to Section 12-3-8 of the zoning map. (Ven-Dale Properties).

(On October 26, 1976, the Planning Commission adopted Resolution 76-184 recommending to the Council an amendment to Section 12-3-8 of the zoning map to rezone from R-1 to P-D to permit construction of a commercial and professional office complex, property located at the south-east corner of Dale and Veneman. Resolution setting public hearing December 20, 1976 at 4:10 P.M. needed).

ACTION: Res. 76-1243 adopted setting hearing. (Clerk to handle)

CONSENT

23. Recommend amendment to Section 23-3-9 of the zoning map - St. Paul's Episcopal Church.

(On November 2, 1976, the Planning Commission adopted Resolution No. 76-190 recommending to the Council an amendment to Section 23-3-9 of the zoning map to rezone from R-1 to P-D to permit expansion of existing church facility and to construct professional offices and a 50-unit retirement housing project, property located at the southeast corner of Briggsmore and Oakdale. Resolution setting public hearing December 20, 1976 at 4:15 P.M. needed)

ACTION: Res. 76-1243-A adopted setting hearing. (Clerk to handle)

CONSENT

24. Recommend amendment to Section 16-3-9 of the zoning map - Lawyer and Adams.

(On October 26, 1976, the Planning Commission adopted Res. No. 76-183 recommending to the Council an amendment to Section 16-3-9 of the zoning map to rezone from R-1 to P-0, property located on the west side of Coffee Road north of Athens. Resolution setting public hearing December 20, 1976 at 4:20 P.M. needed)

ACTION: Res. 76-1244 adopted setting hearing. (Clerk to handle)

CONSENT

25. Recommend amendment to Section 9-3-9 of the zoning map - Grand Prix Group.

(On October 26, 1976, the Planning Commission adopted Res. 76-186 recommending to the Council an amendment to Section 9-3-9 of the zoning map to rezone from R-1 to R-2, property located on the west side of Coffee Road, north of Sylvan Meadows Drive. Resolution setting public hearing December 20, 1976 at 4:25 P.M. needed)

ACTION: Res. 76-1245 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

26. Legislation.

NONE

27. Appointments.

NONE

28. Matters too late for the agenda.

ACTION: Request from D.I.D. for use of two high ranger trucks and personnel to install Christmas decorations on November 21, 1976 and remove them on January 9, 1977.  
By motion (Dunlap/Mensingler, unan. - Elliott and Newton, absent) request approved.

Res. 76-1246 adopted (Kullijian/Dunlap, unan. - Elliott and Newton, absent) approving agreement with Mr. and Mrs. Donald Scott for lease of property, formerly owned by the Maxwell's, for agricultural purposes - Dry Creek Park. (P/W to handle)

Res. 76-1247 adopted (Kullijian/Dunlap, unan. - Elliott and Newton, absent) approving agreement with Mr. and Mrs. Donald Scott for lease of property, formerly owned by Eugene P. Simms, for agricultural purposes - Dry Creek Park. (P/W to handle)

Res. 76-1248 adopted (Kullijian/Dunlap, unan. - Elliott and Newton, absent) approving agreement with Mr. and Mrs. Donald Scott for lease of property, formerly owned by Eula B. Scott, for agricultural purposes - Dry Creek Park. (P/W to handle)

Res. 76-1249 adopted (Kullijian/Dunlap, unan. - Elliott and Newton, absent) approving agreement with Mr. and Mrs. Donald Scott for lease of property, formerly owned by American Securities, for agricultural purposes - Riverside Park Site). (P/W to handle)

Res. 76-1250 adopted (Kullijian/Dunlap, unan. - Elliott and Newton, absent) approving agreement with Mr. and Mrs. Walter William Vance to act as caretakers of the McClure House. (P/W to handle)

Adjourned at 6:10 P.M. to Howard's Restaurant, McHenry Avenue, for dinner and then adjourned to 7:30 P.M. in the Council Chambers for further consideration of the proposed sign ordinance.

ATTEST:

*Norrine Coyle*  
\_\_\_\_\_  
NORRINE COYLE, City Clerk

Modesto City Council  
Adjourned Regular Meeting  
November 15, 1976  
7:30 P.M.

The Council of the City of Modesto met pursuant to adjournment at 7:30 P.M. in the Council Chambers, 801 Eleventh Street, Modesto, California, to discuss the proposed sign ordinance.

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

The Council tentatively approved the Planning Commission's recommendations "Another look at the Modesto Sign Ordinance, Draft Code Text Amendments - 5/76" to the City Council as follows:

By motion (Dunlap/Siefkin, unan. - Elliott and Newton, absent) recommendation #59-61, Pages 11 and 12, regarding roof angle for canopy signs.

By motion (Dunlap/Siefkin, unan. - Elliott and Newton, absent) recommendation #66, Page 13, creating marquee signs.

By motion (Mensinger/Dunlap, unan. - Elliott and Newton, absent) recommendations #71 and #72, Page 14, regarding projecting signs.

By motion (Dunlap/Siefkin, unan. - Elliott and Newton, absent) recommendations #76 and #96, Pages 15 and 20, regarding removal of paper signs within 90 days.

By motion (Siefkin/Mensinger, unan. - Elliott and Newton, absent) recommendation #90, Page 18, regarding no changes in variance provisions.

By motion (Dunlap/Mensinger, unan. - Elliott and Newton, absent) staff was asked to step up the efforts to enforce the ordinance regarding removal of illegal and improperly maintained signs.

By motion (Mensinger/Dunlap, unan. - Elliott and Newton, absent) recommendation #94, Page 19, regarding non-conforming signs, except that a change or correction shall be permitted to one sign on a property even though other signs on the property may be non-conforming.

By motion (Dunlap/Siefkin, unan. - Elliott and Newton, absent) change #96, Page 20, regarding the abatement schedule as clarified in Planning response dated September 8, 1976 to Heymann letter.

By motion (Dunlap/Siefkin, maj. - Mayor Davies, no - Elliott and Newton, absent) recommendation #101, Page 20, re projections, except that a maximum of 48 square feet, be set for projecting signs projecting into right-of-way, and a maximum of 72 square feet be set for projecting signs not projecting into the right-of-way.

By motion (Dunlap/Kullijian, unan. - Elliott and Newton, absent) recommendation #105, Page 21, regarding clear vision triangle at driveways with clarification permitting directional signs within it as well as supports for signs that are 8 feet and higher, measured to bottom of sign.

By motion (Siefkin/Mensinger, maj. - Kullijian, no - Elliott and Newton, absent) recommendation #110, Page 22, regarding general advertising.

By motion (Kullijian/Dunlap, unan. - Elliott and Newton, absent) recommendation #111, Page 22, regarding building outlining, with the wording to be clarified.

Regarding recommendation #115, Page 22, general agreement; staff requested to check further into church signing based on signing of surrounding land uses as determined by the BZA.

By motion (Dunlap/Siefkin, unan. - Elliott and Newton, absent) recommendation #128, Page 24, regarding signs in P-0 zone.

By motion (Kullijian/Dunlap, unan. - Elliott and Newton, absent) recommendation #130, Page 24, urged more staff study of marquee signs on mansard roofs overhanging street right-of-way.

By motion (Dunlap/Kullijian, unan. - Elliott and Newton, absent) recommendation #134, Page 25, establishing 72 square foot area and 20 foot height for shopping center signs.

By motion (Kullijian/Mensing, unan. - Elliott and Newton, absent) staff recommendation approved on #137, Page 25, regarding signs for hotels, motels, restaurants and service stations on freeways.

By motion (Kullijian/Dunlap, unan. - Elliott and Newton, absent) staff recommendation approved on #141, Page 26, regarding canopy and wall identification signs as 4 sq. ft. per lineal foot - 1st 50'; 2 sq. ft. per lineal ft. - 2nd 50'; 1 sq. ft. per lineal ft over 100' on principle building frontage; 4 sq. ft./2 sq. ft./0.5 sq. ft. for other building frontages.

By motion (Kullijian/Dunlap, unan. - Elliott and Newton, absent) staff recommendation approved on #153, Page 26, regarding freestanding identification signs, 72 sq. ft., 20'.

The staff was requested to revise the recommendation concerning service station signs and come back to the Council with it.

By motion (Kullijian/Siefkin, unan. - Elliott and Newton, absent) recommendation #161, Page 29, regarding H-1 zone signs, with the provision being added that in hardship cases, along freeway, same as #137, Page 25; other hardship signs a maximum of 72 square feet and 20 feet high would be approved.

By motion (Kullijian/Dunlap, unan. - Elliott and Newton, absent) miscellaneous recommendations #165-171, Page 30.

Prior to a discussion of billboards, Councilmember Mensinger was excused due to a conflict of interest.

The staff was asked to look into billboards and freestanding signs on the freeway and make a recommendation to the Council as to the size and number that should be allowed.

The meeting adjourned at 10:37 P.M.

ATTEST: Norrine Cole  
NORRINE COLE, City Clerk

Modesto City Council  
Special Meeting  
November 22, 1976  
12:00 o'clock

The Council of the City of Modesto met with the Modesto Youth Commission at 12:00 o'clock in the City Hall Law Library, 801 Eleventh Street, Modesto, California, to discuss matters of mutual interest.

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

Absent: Councilmember Newton

The Youth Commission presented a "Recommendation in Regard to the Proposed City of Modesto Community Center." By motion (Elliott/Dunlap, unan. - Newton, absent) Council acknowledged receipt of the recommendation and expressed appreciation to the Youth Commission for its interest and concern.

The Youth Commission was asked to identify what kinds of things the youth want that are not now available.

The Youth Commission proposed hold a Youth Conference. By motion (Dunlap/Siefkin, unan. - Newton, absent) the idea of a Youth Conference was proposed in principal.

The meeting adjourned at 1:45 P.M.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

MODESTO YOUTH'S RECOMMENDATION IN REGARD TO THE PROPOSED CITY OF MODESTO  
~~UNDERGROUND~~ COMMUNITY CENTER

The following article is in regard to the development and the purpose of the proposed ~~underground~~ community center of the City of Modesto. With the filing of this petition, the Modesto Youth Council, a sub-committee of the Modesto City Council, expresses its concerns for youth and its advice to its father organization in concern with the community center.

WHEREAS it is a known fact that youth in this town of Modesto complain that little entertainment and few activities are provided them by the City of Modesto; and,

WHEREAS it is also a known fact that idle youth are a major cause of city crime stemming from the use of alcohol and drugs, and the wish to provide themselves with said entertainment; and,

WHEREAS it is also a known fact that idle youth are a major cause of traffic congestion and traffic related problems stemming from entertainment termed 'cruising McHenry' and other city streets; and,

WHEREAS the Maddox Youth Center's name and location carry bad connotations and a stigma which represses the use of the center other than by West-side citizens; and,

WHEREAS no other youth or community centers exist to alleviate the problems of youth idleness and its related problems; and,

WHEREAS the youth of this city does realize and expresses through its youth council its realization of the fact that elderly citizens also need and deserve a center which will meet some of their needs; and,

WHEREAS the development and utilization of a city-wide youth center could reduce the aforesaid problems; and,

WHEREAS a center that could satisfy both the needs of youth and the elderly could be built to adequately and satisfactorily achieve this goal with proper planning and investigation...

DO WE RECOMMEND that the Modesto City Council approve and sponser passage of a bill that would establish an underground community center that would meet the needs of both youth and the elderly.

With this recommendation we also state that we, the Modesto Youth Council, are ready and willing to give input into all discussions concerning this topic where said input is appropriate, and that we are willing to work in the investigative and/or development of proposal procedures our father organization, the Modesto City Council, might require or appreciate our help with.

This recommendation submitted by the Modesto Youth Council to the Modesto City Council on the twenty-second day of November in the year-of-out-Lord nineteen hundred and seventy-six.

## MINUTES AND ACTION AGENDA

### CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, NOVEMBER 22, 1976 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 A. G. Vaters, Bethel Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 5, 6, 7, 8, 9, 10,  
Dunlap/Elliott, Unan. 17, 18, 19, 20, 21, 22, 23, 25

(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. Central California Art League's presentation of two paintings to the City of Modesto.

ACTION: Two paintings, "Mother's Kitchen" by Dean Packer, and "Ila Way" by Delbert Park were presented by Elaine Levy representing the Central California Art League. The Art League was thanked by the Mayor on behalf of the Council.

### MINUTES

#### CONSENT

2. Approval of minutes of the November 15, 1976 regular meeting and the November 15, 1976 adjourned regular meeting.

ACTION: By motion, minutes approved.

### COMMUNICATIONS

#### CONSENT

3. Letter from Downtown Improvement District requesting permission to use two parking spaces at the southwest corner of 10th and K Streets on November 26, 27, December 4, 11, and 18 for parking the 40 and 8 locomotive.  
(Resolution approving request needed)

ACTION: Res. 76-1251 adopted approving request. (P & T to handle)

4. Letter from Steve Herzog regarding business license for photography business.  
(Memo with agenda)

ACTION: By motion (Kullijian/Dunlap, unan.) to hold action on this request until an amendment to the ordinance excluding people located in this area can be prepared for Council consideration. (Finance to handle)

CONSENT

5. Letters from Mrs. Laura Jett and Mr. and Mrs. Eldon Mawyer requesting abandonment of the alley at Pimloco and Saratoga Drive.  
(Motion referring to Planning Commission needed)

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

CONSENT

6. Letter from George E. Ball, Valley Radiator Repair, appealing Planning Commission decision on rezoning request.  
(Resolution setting hearing December 27, 1976 at 7:35 P.M. needed)

ACTION: Res. 76-1252 adopted setting hearing. (Clerk to handle)

BIDS

CONSENT

7. Consider authorizing the purchase of fire fighting equipment from the following vendors: (1) Western Fire Equipment for \$5,315.26; (2) L. N. Curtis for \$6,546.30; (3) Halprin Supply for \$5,758.98; (4) Jorgensen Company for \$1,876.09.  
(Memo with agenda. Four resolutions needed. Estimated cost \$19,496.63. Funds are budgeted)

ACTION: Res. 76-1253 adopted accepting the bid of Western Fire Equipment.  
Res. 76-1254 adopted accepting the bid of L. N. Curtis.  
Res. 76-1255 adopted accepting the bid of Halprin Supply.  
Res. 76-1256 adopted accepting the bid of Jorgensen Company.  
(Finance to handle)

CONSENT

8. Consider waiving formal bid procedures and authorizing the purchase of one service body; one Wachs hydraulic gate valve operator; and one hydraulic tool system from Hydraulic Energy Company for the total price of \$8,413.22.  
(Memo with agenda. Resolution authorizing purchase needed. (five affirmative votes needed)

ACTION: Res. 76-1257 adopted waiving formal bid procedure and authorizing purchase from Hydraulic Energy Company. (Finance to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for construction of waterlines in Almond Tree, Hollywood Park No. 1, Hyde Park No. 2, and Lincoln Manor No. 3.  
(Suggested bid opening date December 7, 1976 at 11:00 A.M.)

Costs and Revenues:	Almond Tree	Hollywood Pk.#2	Hyde Pk. #2	Lincoln Mnr
Construction	\$16,480	\$39,380	\$22,255	\$3,900
Connection Chrgs.	8,580	19,360	9,900	2,200
Net Revenue	769	1,531	783	174

Resolution approving bid call needed. Estimated cost \$82,015.  
((\$68,015, Contr; \$14,000 Engr. & Matls). Funds are budgeted)

ACTION: Res. 76-1258 adopted approving plans, specifications and bid call.  
(P/W to handle)

CONSENT

10. Consider acceptance of Manteca Construction Company's contract for asphalt concrete resurfacing various residential alleys - Project No. 5.  
(Original contract \$16,548.54. All work in conjunction with 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 contract, \$14,550.09. Funds are budgeted)

ACTION: Res. 76-1259 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

11. Hearing on annexation of Prescott No. 5 Addition to City 7:30 P.M.  
of Modesto.

ACTION: Ord. No. 1562-C.S. adopted (Elliott/Kullijian, unan.) annexing area. (Clerk to handle)

Res. 76-1260 adopted (Elliott/Kullijian, unan.) declaring no majority protest has been made. (Clerk to handle)

12. Hearing on orders to construct curbs and/or sidewalks 7:35 P.M.  
at the following locations:

- (a) Sidewalk at 1130 Coffee Road, a portion of Block 1099.  
(Downey Park Properties)
- (b) Sidewalk along Thirteenth St. and Needham St. at 1226 and 1230 Thirteenth St., Lots 29, 30, 31 and 32 of Block 109. (Eugene W. Crismon).
- (c) Sidewalk along Needham St. at 102 Hackberry Ave., a portion of Block 524. (Bonnie A. Ryan and Robert P. Baker).
- (d) Curb at 111 Bodem St., Lot 25 and 26, Block 589. (L. R. Van Horn, Jr.)
- (e) Curb along Bodem Street at 117 Bodem St., a portion of Block 589. (Arthur S. Wylie).
- (f) Curb and sidewalk along W. Morris Ave. at 412 Park Ave. and 445 Sycamore Ave., Lots 1 and 2 of Block 537. (Hubert M. Brockett)
- (g) Sidewalk along W. Morris Ave. at 608 W. Morris Ave., a portion of Block 523. (Vivian Holtham).
- (h) Sidewalk along W. Morris Ave. at 440 Hackberry Ave., Lot 1 of Block 523. (Robert Howard Smith).
- (i) Curb and sidewalk along Sycamore Ave. at 320 Smith Ave., a portion of Block 705. (Menette Hachez)
- (j) Curb and sidewalk at 608 Sycamore Ave., a portion of Block 540. (Davis S. Kerwin Jr.).
- (k) Sidewalk at 612 Sycamore Ave., a portion of Block 705.  
(Gary Kessler)
- (l) Curb and sidewalk at 616 Sycamore Ave., a portion of Block 705.  
(Edwin Lincoln Kyte).
- (m) Curb and sidewalk at 624 Sycamore Ave., a portion of Block 705.  
(John A. Paoluccio).

12. Hearing on orders to construct curbs and/or sidewalks, 7:35 P.M.  
continued.

(n) Curb and sidewalk at 620 Sycamore Ave., a portion of Block 705.  
(Glen L. Ramont).

(o) Curb at 2601 Whitcomb Way, Lot 35 of Block 7253. (L. R. Van Horn,  
Jr.)

ACTION: Res. 76-1261 adopted (Kullijian/Mensing, unan.) ordering side-  
walks/curbs/gutters on all locations with the exception of items  
g and h. Staff requested to present recommendations to Council,  
based on previous exceptions to the sidewalk policy, concerning  
the Holtham and Smith properties. (P/W to handle)

13. Informal hearing, Don's Mobile Glass, corner 14th and H 7:40 P.M.  
Streets, to place an encroachment in the public right  
of way.

ACTION: Res. 76-1262 adopted (Elliott/Kullijian, unan.) adopted grant-  
ing encroachment permit to Don's Mobile Glass subject to certain  
conditions, a copy of which is on file in the City Clerk's office.  
(P/W to handle)

14. Matters for the good of the community. 7:45 P.M.  
(These may be presented by interested persons in the audience)

ACTION: George Gagos suggested television screens be placed in the  
City Hall Multipurpose Room so that overflow crowds could see  
and hear what is taking place in the Council Chambers.

Louise Wilds spoke about the Housing Conservationist position.

#### UNFINISHED BUSINESS

15. Further consideration of requested rezoning from R-1 and R-3 to P-D,  
property located at the southwest corner of Carpenter and Blue Gum.  
(On November 1, 1976, after a public hearing, the Council, by motion,  
approved this requested rezoning in principle and directed the staff  
to prepare the necessary documents. Introduction of an ordinance  
and adoption of a resolution needed)

ACTION: Res. 76-1263 adopted (Elliott/Kullijian, maj. - Dunlap and  
Siefkin, no) granting appeal to rezone to P-D, and approving  
a development plan for Planned Development Zone, P-D(148).  
(Planning to handle)

Ord. No. 1563 introduced (Elliott/Kullijian, maj. - Dunlap and  
Siefkin, no) rezoning area. (Clerk to handle)

16. Continue discussion of Urban Growth Policy proposed by the Public  
Projects Committee.

(a) Letter from JoAnn and Alvin Boyer regarding subdivisions  
in Sylvan School District.

(Letter from Mrs. Marge Morris)

ACTION: By motion (Dunlap/Siefkin, maj. - Kullijian and Mayor Davies,  
no) recommendation #5 re College West Area approved.

Council recessed at 9:05 P.M. resumed meeting at 9:12 P.M.

16. Continue discussion of Urban Growth Policy, continued.

ACTION: By motion (Elliott/Dunlap, unan.) the Committee's recommendation that no new trunk sewer extensions be authorized at this time, and that the Public Projects Committee consider the status of the whole question starting on March 15. As a result of the study in the spring, the committee should be able to lay out the time table, if any.

Councilmember Newton was excused at 11:55 P.M.

The Council recessed at 11:55 P.M. and reconvened at 12:00 P.M.

#### NEW BUSINESS

##### CONSENT

17. Consider approval of two lease agreements between the City of Modesto and the Federal Aviation Administration allowing the Federal Aviation Administration to install two new visual landing aids at the Modesto City-County Airport/Harry Sham Field.  
(The visual landing aids proposed consist of a Visual Approach Slope Indicator (VASI) and Runway End Identifier Lights (REIL) on the approach end of Runway 10L. Memo with agenda. Two resolutions approving lease agreements needed)

ACTION: Res. 76-1264 adopted approving agreement for installation of Visual Approach Slope Indicator.

Res. 76-1265 adopted approving agreement for installation of Runway End Identifier Lights. (P/W to handle)

##### CONSENT

18. Consider request for sewer service to property at 2133 Haddon Avenue, located on the northwest corner of Haddon Avenue and El Vista Avenue. (Property owners Mary Jo Summers, Georgia Ann Wenners, Jessie Jan Burrow and EmmaJane Mota have signed an agreement to annex when requested to do so by City. The property is not contiguous to the city limits. However, a sewer main exists to serve the property. No city funds are involved. Resolution approving agreement needed)

ACTION: Res. 76-1266 adopted approving agreement. (Clerk to handle)

##### CONSENT

19. Resolution accepting as complete the improvements in Coffee Terrace No. 2 subdivision and authorizing release of bond for \$4,000. (Developer: Bomberger - Brannan). Resolution No. 71-317 adopted by the Council April 12, 1971 accepted partial improvements in Coffee Terrace No. 2 subdivision and retained \$4,000 until such time as a major structure on the Cavil Drain was relocated. This has been done by the developer of Persian Terrace No. 1, (U. S. By-Products, Inc.). It is recommended that a notice of completion be recorded and release of the \$4,000 assignment authorized. Resolution accepting improvements and releasing assignment needed)

ACTION: Res. 76-1267 adopted accepting as complete the improvements in Coffee Terrace No. 2 subdivision and authorizing release of assignment in amount of \$4,000. (Clerk to handle)

##### CONSENT

20. Consider approval of the final map of Scott 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, James Horn Construction Co., a California Corporation. The subdivision agreement has been signed and all fees paid. Scott Estates Subdivision is located north of Yosemite Blvd. east of Lincoln Ave. It contains 39.461 acres. Resolution approving final map needed.)

CONSENT

20. Consider approval of the final map of Scott Estates Subdv., continued.

ACTION: Res. 76-1268 adopted approving final map of Scott Estates Subdv. (Clerk to handle)

CONSENT

21. Consider lease agreement with Henry Goni for a portion of Dry Creek Park. (Former Hogin property). (Mr. Goni leased this property from the City last year. This lease is essentially the same. Terms: 1 year (expires 10/31/77). City to receive 15% of peach crop; tenant is allowed a credit against his rent for taxes. The amount of land to be leased is decreased slightly. This is to give City access to bluff portion of property for maintenance. Resolution approving lease agreement needed)

ACTION: Res. 76-1269 adopted approving lease agreement. (P/W to handle)

REPORTS

CONSENT

22. Consider P. G. & E. application to P.U.C. to fund gas conservation projects. (Memo with agenda. P. G. & E. proposes that charges be increased to cover the costs of any energy conservation projects approved by the P.U.C. Motion acknowledging receipt of report needed)

ACTION: By motion, receipt of report acknowledged.

CONSENT

23. Presentation of the annual financial report for 1975-76 fiscal year. (Report with agenda. Motion accepting report needed)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

24. Consider recommendations of Planning Commission regarding control of excessive traffic and noise on streets adjacent to lower McHenry Ave. (On November 4, 1976, the Planning Commission adopted Resolution 76-191 making recommendations to the City Council. Explanatory materials with agenda. Motion directing staff needed)

ACTION: By motion (Elliott/Dunlap, unan. - Newton, absent) that the five recommendations of the Planning Commission be approved and that the staff investigate the possibility of increasing the amount of fines set for the types of infractions for which citations are being issued on McHenry. (Police and P & T to handle)

APPROPRIATION TRANSFERS

CONSENT

25. Consider Downtown Improvement District's request for an appropriation transfer from Account 60-800-218 General Reserve to Account 237-01-060-218 Christmas Promotion, in the amount of \$3,500. (Resolution approving transfer needed. Memo with agenda)

ACTION: Res. 76-1270 adopted approving appropriation transfer of \$3,500 from Account 60-800-218 to Account 237-01-060-218. (Finance to handle)

MISCELLANEOUS

26. Legislation.

NONE

27. Appointments.

ACTION: Res. 76-1271 adopted (Kullijian/Mensing, unan. - Newton, absent) appointing Helen White (replacing Evelyn Yabroff) on the Human Rights Commission; term expiring May 1, 1979. (Clerk to handle)

28. Matters too late for the agenda.

ACTION: Res. 76-1272 adopted (Dunlap/Elliott, unan. - Newton, absent) setting December 13, 1976 at 7:55 P.M. for hearing on proposed sign ordinance, except outdoor advertising signs sections.

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

Res. 76-1273 (Dunlap/Kullijian, unan. - Mensinger and Newton, absent) setting January 3, 1977 at 4:00 P.M. for consideration of outdoor advertising signs. (Clerk to handle)

Res. 76-1274 adopted (Elliott/Dunlap, unan. - Newton, absent) commending and congratulating County Board of Supervisors on their attractive new administration building. (Clerk to handle)

Adjournment at 12:30 A.M. to 10:00 A.M. on Wednesday, November 24, 1976 in the Council Chambers to confirm canvass of votes of the November 5, 1976 election.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

Modesto City Council  
Adjourned Regular Meeting  
November 24, 1976  
10:00 A.M.

The Council of the City of Modesto met pursuant to adjournment at 10:00 A.M. in the Council Chambers, 801 Eleventh Street, Modesto, California, to confirm the canvass of votes on amendments to the Charter of the City of Modesto cast at the November 2, 1976, election.

Present: Councilmembers Elliott, Kullijian, Siefkin, Mayor Davies

Absent: Councilmembers Dunlap, Mensinger, Newton

The tally of votes on the five proposed amendments were read by the City Attorney. Res. 76-1275 adopted (Elliott/Siefkin, unan. - Dunlap, Mensinger and Newton, absent) confirming the canvass and declaring the results of the votes on the Charter amendments.

Copies of a memorandum dated November 23, 1976, from the Director of Finance to the City Manager on the subject of "Imperial 400 National Inc. - Bankruptcy" were distributed to the City Council (copy attached to official copy of minutes). Res. 76-1276 adopted (Siefkin/Kullijian, unan. - Dunlap, Mensinger, and Newton, absent) accepting the offer of 400 Group Limited Partnership to purchase the stock and note received by the City of Modesto as a result of the bankruptcy of Imperial 400 National, Inc.

Meeting adjourned at 10:12 A.M.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

Dpy Mgr	_____	Pub Wks	_____
Attorney	_____	Bldg Insp	_____
Clerk	<u>X</u>	Pks & Rec	_____
Fire	_____	Pkg & Trf	_____
Police	_____	Personnel	_____
Library	_____	Planning	_____

Date: November 23, 1976

TO: City Manager

Agenda: November 24, 1976

FROM: Director of Finance

SUBJECT: Imperial 400 National, Inc. - Bankruptcy

In 1965 and 1966 the above firm incurred a debt of \$445.07 to the City of Modesto for business license taxes. In 1971 we were advised that the Imperial 400 was being reorganized under Chapter 10 of the Bankruptcy Act. Since that time we have received the final plan of reorganization. Under this plan the City has received \$158.61 in cash, a note for \$358.00, and fifty-three shares of stock.

On July 19, 1976, the Council approved an offer from Vagabond Hotels, Inc. to purchase the stock and notes; however, they revoked their purchase offer. An offer has now been received from 400 Group Limited Partnership to purchase the note and stock:

\$ 2.60 per share of stock X 53 shares	\$137.80
\$65.00 per \$100 of note	<u>232.70</u>
Total Offer	<u>\$370.50</u>

This offer combined with the cash received in the amount of \$158.61 equals \$529.11--slightly more than the original debt incurred.

We have reviewed this offer with the City Attorney. Because cities are by State law prohibited from investing in stocks (can be received in settlement of a bankruptcy proceeding), we would not normally hold stocks in the City Treasury. Therefore, we recommend that the offer be accepted, which will reimburse the City for the outstanding debt.

A resolution authorizing acceptance of the offer is required.



Charles V. Bird

CVB:dm

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 6, 1976 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 Harold Knowles, Central Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 5, 6, 7, 8, 9, 10,  
Item 31 removed from Consent 11, 12, 16, 17, 18, 19, 20, 21,  
Dunlap/Elliott, unan. 22, 23, 24, 25, 26, 28, 29, 30,  
33, 34, 35, 36, 37, 38, 39, 40

(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 special meeting, November 22, 1976; regular meeting of November 22, 1976 and adjourned regular meeting of November 24, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

CONSENT

2. Letter from Neal E. Wade, County Superintendent of Schools, request in consolidation of school district elections with the Municipal Election on March 8, 1977.  
(Resolution granting consent for the consolidation of the elections needed.)

ACTION: Res. 76-1310 adopted granting consent for consolidation of elections with Municipal Election on March 8, 1977. (Clerk to handle)

3. Letter from Ron Underwood asking that a street tree not be planted on his property.

ACTION: Res. 76-1311 (Elliott/Dunlap, unan.) that the request be denied. By motion (Elliott/Dunlap, unan.) that the staff check with the Underwood's physician about what variety of tree would least affect the Underwoods. (P & R to handle)

4. Letter from Richard Pulati regarding street tree program.

ACTION: By order of the Chair, this item was held over to December 13 meeting, per Richard Pulati's request. (Clerk to handle)

CONSENT

5. Letter from John L. Martin, Executive Director, S.O.S.P., requesting financial assistance to continue the transportation service for senior citizens.  
(Motion referring to staff for report needed)

ACTION: By motion, request referred to staff for report. (P & T to handle)

CONSENT

6. Letter from Sanders Construction Co. appealing Planning Commission decision.  
(Resolution setting hearing January 3, 1977 at 4:15 P.M. needed)

ACTION: Res. 76-1277 adopted setting hearing. (Clerk to handle)

CONSENT

7. Letter from John W. Taylor, Pastor, First United Methodist Church, regarding wheelchair ramps.  
(Motion referring to staff needed)

ACTION: By motion, letter referred to staff. (P/W to handle)

BIDS

CONSENT

8. Consider awarding bid for two three-wheel turf vehicles from Totten Equipment for \$3,975.00 and one three-wheel turf vehicle from Golden Bear Equipment for \$2,941.50.  
(Memo with agenda. Resolution authorizing purchase from Totten Equipment and resolution authorizing purchase from Golden Bear Equipment needed. Estimated cost \$6,916.50. Funds are budgeted)

ACTION: Res. 76-1278 adopted awarding contract to Totten Equipment Co.  
Res. 76-1278A adopted awarding contract to Golden Bear Equipment Co. (Finance to handle)

CONSENT

9. Consider declaring Watts Equipment Company the lowest bidder meeting specifications and awarding bid for Selma Hydraulic bed trailer for the total price of \$4,002.78.  
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted)

ACTION: Res. 76-1279 adopted awarding bid to Watts Equipment Co. (Finance to handle)

CONSENT

10. Consider award of contract for revised street light circuit on McHenry Avenue between Fairmont Avenue and Orangeburg Avenue.  
(Bids were opened November 30, 1976. The low bid of \$11,623 submitted by Ferrero Electric, Inc. is 9.95% 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 Ferrero Electric, Inc. needed. Estimated cost \$12,591 (Contract \$11,623; Engr. \$968. Funds are budgeted)

ACTION: Res. 76-1280 adopted awarding contract to Ferrero Electric, Inc. (P/W to handle)

CONSENT

11. Consider acceptance of Camanche Corp.'s contract for improvement of Elk Park parking lot.  
(Original contract \$13,267. 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 \$15,023. Funds are budgeted)

ACTION: Res. 76-1281 adopted accepting contract as complete. (Clerk to handle)

CONSENT

12. Consider acceptance of Osterberg & Stewart's contract for drilling, casing, testing and developing of Well No. 2 relocation. (Original contract \$13,613.50. 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, \$12,335.30. Funds are budgeted)

ACTION: Res. 76-1282 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

13. Hearing, annexation of Carpenter-Elm Addition to Modesto Municipal Sewer District No. 1. 4:00 P.M.

ACTION: Res. 76-1283 adopted (Dunlap/Elliott, unan.) annexing Carpenter-Elm Addition to Modesto Municipal Sewer District No. 1. (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)

Dave Dolan spoke about energy conservation.

Dennis Wilson asked that Item 25 regarding street name signs be dropped from this agenda and brought up at the next Council meeting. By motion (Kullijian/Elliott, unan.) the Council asked that this item be placed on the December 13, 1976 agenda. (Clerk to handle)

ORDINANCES

15. Final adoption of Ordinance 1563-C.S. amending Section Map 24-3-8. (Motion with roll call vote needed)

ACTION: By motion (Kullijian/Elliott, carried, Dunlap & Siefkin, no) Ord. 1563-C.S. adopted. (City Clerk to handle)

NEW BUSINESS

CONSENT

16. Consider declaring equipment No. 17224, a 1972 Dodge Coronet, and Equipment No. 30112, a 1967 Chevrolet Pickup, surplus to City's needs and authorizing the Purchasing Officer to advertise and sell material to the highest bidder.

ACTION: Res. 76-1284 adopted declaring Equipment No. 17224 and No. 30112 surplus to City's needs and authorizing Purchasing Officer to advertise and sell material. (Finance to handle)

CONSENT

17. Consider authorizing the sale of a 1947 Van Pelt fire truck. (Memo with agenda. Resolution authorizing sale needed)

ACTION: Res. 76-1285 adopted authorizing Purchasing Officer to advertise and sell to the highest bidder. (Finance to handle)

CONSENT

18. Consider agreement with Modesto Irrigation District for the dedication of street right of way on Tully Road in return for the City installing curbs, gutters, and sidewalks.  
(It is not city policy to install sidewalks for private owners. However, because of the jurisdictional status of M.I.D., it is recommended that the agreement be approved by Council. Resolution approving agreement needed. Estimated cost \$4,000. Funds are budgeted)

ACTION: Res. 76-1286 adopted approving agreement. (P/W to handle)

CONSENT

19. Consider lease agreement with Joseph De Anna of former Kounias property.  
(Memo with agenda. Resolution authorizing execution of lease agreement needed)

ACTION: Res. 76-1287 adopted approving agreement. (P/W to handle)

CONSENT

20. Consider approving lease agreement with Haig Berberian for the lease of the former McClure property, less the McClure house and grounds.  
(Mr. Berberian leased this property from the City last year. This lease is essentially the same except that the term has been increased and Mr. Berberian will now pay the taxes instead of the City. Terms: 3 years (Expires Sept. 30, 1979 and can be terminated by either party giving notice 60 days prior to October 1 of each year.) Annual rent of \$1,000 and tenant maintains large unfarmable area for City. Resolution authorizing execution of lease agreement needed)

ACTION: Res. 76-1288 adopted approving agreement. (P/W to handle)

CONSENT

21. Consider two lease agreements with C. J. Rumble & Sons on Beyer Park site and Northeast End Park site.  
(Beyer Park site - new lease for one year - expires 7/1/77. Lessee to pay City \$100 annual rental. Lessee pays taxes.  
Northeast End Park site - lessee leased this property last year for \$250 annual rent with City paying taxes. This year's lease is for \$50 annual rental with lessee paying taxes. Lease expires 10/31/77. Rental is less because lessee will not be able to lease adjoining land this year making this lease less profitable for him. Both leases save City maintenance manpower. Two resolutions authorizing execution of two lease agreements needed)

ACTION: Res. 76-1289 adopted approving lease agreement for Beyer Park site.

Res. 76-1290 adopted approving lease agreement for Northeast End Park site. (P/W to handle)

CONSENT

22. Consider acceptance of improvements in Flintridge Estates No. 2 subdivision and authorize City Clerk to file notice of completion and release bonds upon expiration of statutory periods.  
(Developer: Al Flory. Flintridge Estates No. 2 Subdivision is located south of East Orangeburg Avenue and 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. 76-1291 adopted accepting improvements in Flintridge Estates No. 2 Subdivision as complete. (Clerk to handle)

CONSENT

23. Consider acceptance of improvements in Lakewood Gardens No. 2 Subdivision and authorize City Clerk to file notice of completion and to release bonds upon expiration of statutory periods.  
(Developer - Horn Construction. Lakewood Gardens No. 2 Subdivision is located at the southeast corner of Lakewood Ave. and East Orangeburg Ave. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed)

ACTION: Res. 76-1292 adopted accepting improvements in Lakewood Gardens No. 2 Subdivision as complete. (Clerk to handle)

CONSENT

24. Consider request for sewer service to property outside city limits at 422 Spruce Avenue, located on the north side of Spruce Avenue west of Franklin Street.  
(Owner, Paul Klapproth. The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to city limit, and a sewer main exists to serve the property. No city funds are involved. Resolution approving agreement needed)

ACTION: Res. 76-1293 approving agreement adopted. (Clerk to handle)

CONSENT

25. Consider increasing fees for street name signs in new subdivisions.  
(Memos with agenda. An increase from \$42 per intersection to \$87 per intersection is recommended. Resolution establishing fee at \$87 per intersection needed)

Held over for one week. (Clerk to handle)

CONSENT

26. Consider action to expedite approval of federal application for funds to purchase five buses.  
(Memo with agenda. Approval of the application is now three months overdue. It is recommended that elected state and federal officials be contacted for help. Motion authorizing Mayor to contact appropriate officials needed. Estimated cost: Federal, \$219,200; City, \$54,800; Total, \$274,000. Funds are budgeted)

ACTION: By motion, Mayor authorized to contact appropriate officials.  
(C/Mgr./P. & T. to handle)

- 26A. Determination by Council of whether a charge shall be levied against candidates for election on March 8, 1977 for the cost of printing and handling the Candidates Statement of Qualifications. (Memo with agenda. Resolution making determination needed)

ACTION: Res. 76-1295 determining City would pay costs of State of Qualifications adopted (Siefkin/Dunlap, carried, Elliott, Kullijian, Mayor Davies, no) (Clerk to handle)

27. Department of Planning and Community Development recommendation to Council that it recommend the proposed North Rexford and Orangeburg-Claus Additions to LAFCO.

(Memo and attachments (LAFCO staff report, LAFCO letter of referral, and letter from Sylvan School District. Motion directing letter to be sent to LAFCO expressing City Council recommendation needed)

ACTION: By motion (Kullijian/Dunlap, unan.) staff directed to send a letter to LAFCO stating the two annexations are consistent with the City of Modesto's established annexation and urban growth policies and the General Plan, and that the City Manager write to LAFCO to let them know the City is aware of the study being made of the school situation and would appreciate knowing the results so they could be taken into consideration when discussing future annexations. (C/Mgr. to handle)

CONSENT

28. Consider canceling two letter agreements with Lloyd Burkett to harvest black walnuts and English walnuts on city property and authorize new letter agreement with Randolph Clayton to harvest black walnuts on city property.

(We have had someone harvest the black walnuts on city property each year. There is little market for black walnuts; therefore, if we permit Mr. Clayton to harvest the black walnuts, it will eliminate the necessity of City staff having to clean them up. Two resolutions canceling the two letter agreements with Lloyd Burkett, and a resolution approving letter agreement with Randolph Clayton needed)

ACTION: Res. 76-1296 adopted canceling letter agreement with Lloyd Burkett to harvest English walnuts.

Res. 76-1297 adopted canceling letter agreement with Lloyd Burkett to harvest black walnuts.

Res. 76-1298 adopted approving letter agreement with Randolph Clayton to harvest black walnuts. (Parks & Rec. to handle)

CONSENT

29. Request for authorization to contact State representatives (Assemblymen, Senator and Governor) encouraging early signal installation for Briggsmore-Carpenter overpass.

(Memo with agenda. Motion approving request needed)

ACTION: By motion, request approved. (C/Mgr. to handle)

CONSENT

30. Resolution authorizing the City Manager to sign a grant application with the State of California Office of Traffic Safety.

(Grant will provide funds in the amount of \$28,170.25 to be used to hire off-duty police officers for traffic enforcement aimed at accident prevention. Memo with agenda. Resolution authorizing the City Manager to sign grant application needed)

ACTION: Res. 76-1299 adopted authorizing City Manager to sign grant application. (Police to handle)

REPORTS

31. Presentation of three-year operating budget, 1976-77 to 1978-79. (Copies of the budget with agenda. Motion accepting report needed)

ACTION: By motion, (Kullijian/Elliott, unan.) receipt of the report was acknowledged and the concept of a 3-year budget approved.

- 32a. Report from Culture Commission proposing uses of the McHenry Mansion.

- b. Report from Culture Commission requesting permission to hire a consultant.

(Reports with agenda. (a) Motion approving proposed plan for uses of the Mansion needed. (b) Motion approving the hiring of a consultant needed. Resolution approving appropriation transfer needed)

ACTION: By motion, (Elliott, Mensinger, unan.) plan for uses approved and hiring of consultant approved. (Parks & Rec. to handle)

adopted  
Res. 76-1300, (Elliott, Mensinger, unan.)/approving appropriation transfer of \$900.00 from Account 60-800-101 to Account 235-291-101. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

33. Recommend amendment to Section 18-3-9 of the zoning map - Modesto Development Company.  
(On November 17, 1976 the Planning Commission adopted Resolution No. 76-208 recommending to the Council an amendment to Section 18-3-9 of the 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. Resolution setting public hearing for January 10, 1977 at 7:30 P.M. needed)

ACTION: Res. 76-1301 adopted setting hearing. (Clerk to handle)

CONSENT

34. Planning Commission recommendation to widen Evergreen Avenue.  
(Motion acknowledging receipt of Commission recommendation. To be considered following Council deliberation on rezoning Evergreen, Ricky, Briggsmore area on January 10, 1977.)

ACTION: By motion, receipt of Commission recommendation acknowledged.  
(Clerk to handle)

CONSENT

35. County referral of open space contract applications:  
No. 77-2527 - Deet Eichel Ent., 1943 Shoemake Ave. and 2919 Shoemake Ave.  
No. 77-2529 - C. R. and Jeannette G. Maino, 2532 Scenic Drive (South of Scenic at Sonoma).  
No. 77-2575 - Duane M. Corwin, 3312 Merle Ave., (South of Merle, 3975 feet west of Claus).

(Three resolutions expressing recommendation of opposition needed)

ACTION: Res. 76-1302-adopted protesting open space application  
No. 77-2527 - Eichel.

Res. 76-1303-adopted protesting open space application  
No. 77-2529 - Maino.

Res. 76-1304-adopted protesting open space application  
No. 77-2575 - Corwin. (Planning to handle)

CONSENT

36. Recommend amendment to Section 18-3-9 of the zoning map - Glen T. Edwards.  
(On November 17, 1976 the Planning Commission adopted Res. 76-207 recommending to the Council an amendment to Section 18-3-9 of the zoning map to rezone from R-3 to P-0 property located at the north-west corner of Tully Road and Madrone Avenue. Resolution setting public hearing on January 10, 1977 at 7:35 P.M. needed)

ACTION: Res. 76-1305 adopted setting hearing. (Clerk to handle)

CONSENT

37. Recommend amendment to Section 21-3-9 of zoning map - N. C. MacDannald.  
(On November 16, 1976 the Planning Commission adopted Resolution No. 76-199 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 south side of East Orangeburg, between Melrose and Fiori. Resolution setting public hearing on January 3, 1977 at 4:10 P.M. needed)

ACTION: Res. 76-1306 adopted setting hearing. (Clerk to handle)

CONSENT

38. Recommend amendment to Section 19-3-9 of the zoning map - U. Z. Brannon. (On November 16, 1976 the Planning Commission adopted Resolution No. 76-200 recommending to the Council an 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 Avenue, south of Evergreen Road, west of Martin Avenue and adjacent to Freeway 99. Resolution setting public hearing on January 10, 1977 at 7:40 P.M. needed)

ACTION: Res. 76-1307 adopted setting hearing. (Clerk to handle)

CONSENT

39. Recommend amendment to Section 12-3-8 of the zoning map - Joe Trombetta. (On November 17, 1976 the Planning Commission adopted Res. No. 76-211 recommending to the Council an amendment to Section 12-3-8 of the zoning map to rezone from R-1 to R-2 property located south of Veneman Avenue and north of M.I.D. Lateral #7. Resolution setting public hearing on January 10, 1977 at 7:45 P.M. needed)

ACTION: Res. 76-1308 adopted setting hearing. (Clerk to handle)

CONSENT

40. Recommend amendment to Section 8-3-9 of the zoning map - Weeks Real Estate. (On November 16, 1976 the Planning Commission adopted Resolution No. 76-198 recommending to the Council an 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 Avenue. Resolution setting public hearing on January 10, 1977 at 7:50 P.M. needed)

ACTION: Res. 76-1309 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

41. Legislation.

NONE

42. Appointments.

NONE

43. Matters too late for the agenda.

a. Community Center

(Councilmember Elliott was excused at 6:03 P.M.)

ACTION: By motion, (Kullijian/Mensing, unan., Elliott, absent) staff directed to suggest some dates in January for a special meeting to further study the information presented about a Community Center.

b. Day Care Centers

ACTION: By motion, (Mensing/Kullijian, unan., Elliott, absent) Council expressed support of the efforts to continue the day care centers.

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, DECEMBER 13, 1976 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  
Invocation by Reverend Louis Dykstra, Christian Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 4, 5, 6, 7, 17, 18,  
Dunlap/Mensinger, unan, Newton absent 19, 20, 21

(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 December 6, 1976.  
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

2. Letter from Richard Pulati regarding street trees.

ACTION: Res. 76-1312 (Dunlap/Kullijian, unan, Newton absent) adopted denying request. (P & R to handle)

3. Letter from Adam Cohen regarding Beyer High School Band marathon.

ACTION: None

BIDS

CONSENT

4. Consider approval of specifications and authorizing call for bids to be opened January 25, 1976, at 2:00 P.M. for furnishing one fire-crash rescue truck for the Modesto City-County Airport/Harry Sham Field. Consider adjustment to the Airport Budget to estimate revenue from an FAA grant for a fire-crash rescue truck and increase appropriations in accordance with estimated costs.  
(Memo with agenda. Resolution authorizing call for bids and resolution amending budget needed. Estimated Cost: \$196,000; funds are budgeted in Account No. 6124-460-230).

ACTION: Res. 76-1313 adopted approving plans, specifications and bid call.

Res. 76-1314 adopted amending Final Budget for 1976-77 to adjust the Airport Fund. (Finance to handle.)

CONSENT

5. Consider award of contract for construction of waterlines in Almond Tree, Hollywood Park No. 1, Hyde Park No. 2, and Lincoln Manor No. 3. (Bids were opened December 7, 1976. The low bid of \$64,912.00 submitted by Joe Martin is 5% below the Engineer's Estimate and is considered acceptable. It is recommended that the contract be awarded to him. Resolution awarding contract needed. Estimated cost: \$64,912.00. Funds are budgeted.)

ACTION: Res. 76-1315 adopted awarding contract to Joe Martin. (Public Works to handle)

CONSENT

6. Consider acceptance of Western Pipeline's contract for construction of Subtrunk Sewer Extension in Sylvan Avenue and Rexford Avenue. (Original Contract: \$35,914.00. 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: \$35,944.80. Funds are budgeted.)

ACTION: Res. 76-1316 adopted accepting contract as complete. (Clerk to handle)

CONSENT

7. Consider acceptance of Lee White Paving's contract for construction of Additional Rip Rap on Oxidation Pond Levees. (Original Contract: \$20,160.00. 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 \$19,575.60. Funds are budgeted.)

ACTION: Res. 76-1317 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

8. Hearing, annexation of Rosemore-Woodland Addition to Modesto Municipal Sewer District No. 1. 7:30 P.M.

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

ACTION: Res. 76-1318 adopted (Dunlap/Siefkin, unan., Kullijian, Newton, absent) annexing Rosemore-Woodland Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

9. Hearing, annexation of North Coffee #1 Addition to Modesto Municipal Sewer District No. 1. 7:35 P.M.

ACTION: Res. 76-1319 adopted (Dunlap/Mensing, unan., Newton, absent) annexing North Coffee #1 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

10. Hearing on amendment to Section 24-3-8 of the zoning map to rezone from R-1 to R-2, property located on the south side of Blue Gum Avenue, west of Rosemore. (Paul M. Zagaris) 7:40 P.M.

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

ACTION: Ord. No. 1564-C.S. introduced (Dunlap/Siefkin, unan., Kullijian, Newton, absent) rezoning area. (Clerk to handle)  
Res. 76-1321 adopted (Dunlap/Siefkin, unan., Kullijian, Newton, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Plan. to handle)

HEARINGS (Cont'd)

11. Hearing on appeal by Paul M. Zagaris to Planning Commission decision denying request for rezoning from R-1 to R-2, property located on the north side of Woodland, east of Rosemore Avenue. 7:40 P.M.

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

ACTION: Res. 76-1320 (Elliott/Mensing, unan., Kullijian, Newton, absent) adopted denying appeal and requesting developer to work with staff on a P-D for this area. (Planning to handle)

12. Hearing on appeal by Jim Rose to Planning Commission decision denying request to prezone to P-0, property located on the south side of Scenic Drive, east of Oakdale Road. 7:50 P.M.

ACTION: Res. 76-1322 (Dunlap/Siefkin, unan., Newton absent) adopted denying appeal. (Planning to handle)

13. Hearing on proposed sign ordinance except outdoor signs. 7:55 P.M.

ACTION: By motion, (Dunlap/Siefkin, unan., Newton absent) that a provision be included in the ordinance that the Board of Zoning Adjustment can approve signs at whatever height is necessary to be seen from the freeway for freeway oriented-businesses.

By motion (Dunlap/Mensing, carried, Kullijian, no, Newton, absent) non-conforming signs are to be removed within 30 days of the time a business closes.

By motion (Kullijian/Elliott, carried, Siefkin, no, Newton, absent) reference to what appears on signs (change 110).

By motion, (Dunlap/Siefkin, unan., Newton, absent) the proposed sign ordinance approved as outlined with the above changes. (Planning to handle)

14. Matters for the good of the community. 8:00 p.m.  
(These may be presented by interested persons in the audience)

Gary Bengston spoke about vandalism and burglary problems on McHenry Avenue.

ACTION: By motion (Elliott/Dunlap, unan., Newton, absent) staff was requested to turn on lower McHenry Avenue lights. (P.W. to handle)

UNFINISHED BUSINESS

15. Further consideration of a contract with Kenny Transportation to provide bus drivers.  
(Memo with agenda. It is recommended that the contract be awarded to Kenny Transportation for up to 5 years at a cost of \$7.25 per scheduled bus hour. Resolution awarding contract needed. Estimated Cost: \$275,500. Funds are budgeted.)

ACTION: Res. 76-1323 adopted (Dunlap/Kullijian, carried, Mensinger, Siefkin, no, Newton, absent) awarding contract to Kenny Transportation. (P & T to handle)

NEW BUSINESS

16. Consider increasing fees for street name signs in new subdivisions. (Memos with agenda. An increase from \$42 per intersection to \$87 per intersection is recommended. Resolution establishing fee at \$87 per intersection needed.)

ACTION: Res. 76-1324 adopted (Elliott/Kullijian, unan.; Newton, absent) increasing fees from \$42 to \$62 per intersection. (P & T to handle)

CONSENT

17. Amendment to McClure House lease agreement. (The present agreement prohibits children as overnight guests. The amendment to the agreement is to authorize the Director of Parks and Recreation to permit children as overnight guests of the caretakers when appropriate, such as a grandchild for Christmas week. Resolution approving amendment to agreement needed.)

ACTION: Res. 76-1325 adopted approving amendment to lease agreement. (P & R to handle)

REPORTS

CONSENT

18. Presentation of Financial Statement for November 1976. (Copies of report with agenda. Motion accepting report needed.)

ACTION: By motion, report accepted.

REPORTS FROM THE PLANNING COMMISSION

CONSENT

19. Vacation and abandonment of the 40-foot unimproved road rights-of-way located west of Morgan Road and north of Whitmore Avenue. (On October 26, 1976, the Planning Commission adopted Resolution 76-186 recommending to the Council the vacation and abandonment of the 40-foot unimproved road rights-of-way located west of Morgan Road and north of Whitmore Avenue. Resolution of intention to vacate and abandon, and setting date for public hearing on January 17, 1977 at 4:00 p.m. needed.)

ACTION: Res. of Intent #368 (1343-S.P.) adopted setting hearing. (Clerk to handle)\*

CONSENT

20. Set date for public hearing for annexation to the City of uninhabited territory - McHenry Sylvan No. 2 Addition. (Approved by LAFCO on August 20, 1976. Resolution setting date for public hearing on January 24, 1976 at 7:30 P.M. needed)

ACTION: Res. 76-1326 adopted setting hearing. (Clerk to handle)

CONSENT

21. Uninhabited annexation to the City of Modesto - East Orangeburg #7 Addition. (The LAF Commission has authorized this annexation without notice of public hearing - November 22, 1976. Resolution annexing needed.)

ACTION: Res. 76-1327 adopted annexing area. (Clerk to handle)

MISCELLANEOUS

22. Legislation.

NONE

23. Appointments.

NONE

24. Matters too late for the agenda.

NONE

Adjourned at 12:12 A.M.

ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

MINUTES AND ACTION AGENDA

CITY OF MODESTO

AGENDA FOR COUNCIL MEETING OF MONDAY, DECEMBER 20, 1976 AT 4:00 P.M.

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

Absent: Newton

Pledge of Allegiance to the Flag.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 8, 9, 10, 18, 19, 20, 22, 24, 26, 27  
Item 4 removed from consent.  
Item 25 dropped from agenda.  
Siefkin/Dunlap, 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.)

PRESENTATIONS

1. Presentation of \$2,500 to the City of Modesto by the Independent Insurance Agents Association of Modesto.  
(The Independent Insurance Agents Association of Modesto are donating \$2,500 to the City to be used to purchase a Crime Prevention Trailer for use by the Modesto Police Department and other county law enforcement agencies. Memo with agenda. One resolution accepting donation and expressing appreciation for the donation needed. Second resolution amending budget and appropriating the \$2,500 in the Police Department budget needed.

Check presented to Mayor Davies by Gene Gibson, Independent Insurance Agents Association of Modesto.

ACTION: Res. 76-1328 (Dunlap/Siefkin, unan., Newton absent) adopted expressing appreciation.

Res. 76-1329 adopted (Dunlap/Siefkin, unan., Newton absent) amending Final Budget to adjust the General Fund (101).  
(Finance to handle)

MINUTES

CONSENT

2. Approval of minutes of December 13, 1976, meeting.  
(Motion approving needed)

ACTION: By motion, minutes approved.

COMMUNICATIONS

3. Letter from Mr. and Mrs. Ray Gonzala regarding street trees.

ACTION: Res. 76-1330 adopted (Kullijian/Dunlap, unan., Newton absent) denying request. (P & R to handle)

## BIDS

4. Consider award of contract for construction of Picnic Areas, barbecues, and miscellaneous improvements at Rose Avenue Park, Sutter Park, and Woodrow Park.

(Bids were opened on November 23, 1976. The apparent low bidder was Tri County Builders, however, it has been determined that they did not have the proper license at the time their bid was submitted. It is therefore recommended that their bid be rejected, and the contract be awarded to George Reed, Inc. Their bid in the amount of \$45,000 is 9.7% above the Engineer's Estimate, and is considered acceptable. (Memo with agenda. Resolution rejecting Tri County Builders bid and awarding contract to George Reed, Inc. needed. Estimated cost: \$45,000; funds are budgeted.)

ACTION: Res. 76-1331 adopted (Kullijian/Elliott, unan., Newton absent) rejecting Tri County Builders bid and awarding contract to George Reed, Inc. (Public Works to handle)

### CONSENT

5. Consider authorizing the purchase of one Mueller Model C1-36 tapping machine for the total price of \$3,537.07  
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted)

ACTION: Res. 76-1332 adopted authorizing purchase of tapping machine from Mueller Co. (Finance to handle)

### CONSENT

6. Consider authorizing the purchase of (1) \$89,561.68 worth of Automotive equipment from Griswold-Wight (2) \$37,938.91 from Central Valley Chrysler-Plymouth (3) and \$23,360.00 from Dow-Hammond.  
(Memo with agenda. Resolution authorizing purchase from Griswold-Wight, resolution authorizing purchase from Central Valley Chrysler-Plymouth, resolution authorizing purchase from Dow-Hammond needed. Estimated cost: \$150,860.59; funds are budgeted)

ACTION: Res. 76-1333 adopted awarding Automotive Equipment, Items 1, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 14 to Griswold-Wight.

Res. 76-1334 adopted awarding Automotive Equipment, Items 2, 3, and 4 to Central Valley Chrysler-Plymouth.

Res. 76-1335 adopted awarding Automotive Equipment, Item 15 to Dow-Hammond. (Finance to handle)

### CONSENT

7. Approve plans and specifications and call for bids for construction of curb, gutter and appurtenances on Cuesta Avenue.  
(Suggested Bid Opening date: January 4, 1977 at 11:00 A.M. This project should alleviate a long standing drainage problem on the north side of Cuesta Avenue west of Las Flores Avenue. Memo with agenda. Resolution approving plans, specifications and bid call needed. Estimated cost: \$5,819 (Constr. \$5,290 - Engr. \$529); funds are budgeted)

ACTION: Res. 76-1336 adopted approving plans, specifications and bid call. (Public Works to handle)

### CONSENT

8. Consider approval of plans and specifications and call for bids to furnish and install Playground Equipment for Coleman F. Brown and Chrysler Parks.  
(Suggested Bid Opening date: January 4, 1977 at 11:10 A.M. This project has been budgeted to continue the improvements at these parks. Resolution approving plans, specifications and bid call needed. Estimated cost: \$36,360 (\$34,845 Constr., \$1,515 Engr.); funds are budgeted).

ACTION: Res. 76-1337 adopted approving plans, specifications and bid call. (Public Works to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for construction of waterlines in Blue Gum Avenue - West of Carpenter Road to Poust Road, and College West No. 1.  
(Suggested Bid Opening date: January 4, 1977 at 11:20 A.M.)
- |                     |               |                    |
|---------------------|---------------|--------------------|
| Costs and Revenues: | Blue Gum Ave. | College West No. 1 |
| Construction        | \$28,136      | \$40,225           |
| Connection Charges  |               | \$24,200           |
| Net Revenue         |               | \$ 1,914           |
- Resolution approving plans and specifications and call for bids needed.  
Estimated cost: \$68,361 (\$61,761 Contract, \$6,600 Engr. & Matls); funds are budgeted).

ACTION: Res. 76-1338 adopted approving plans, specifications and bid call. (Public Works to handle)

CONSENT

10. Consider acceptance of Grover Landscaping contract for construction of Irrigation and Planting at Fire Station No. 4.  
(Original Contract: \$6,699.00 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. Final Cost: Contract \$8,154.97; funds are budgeted.)

ACTION: Res. 76-1339 adopted accepting contract as complete. (Clerk to handle)

HEARINGS

11. Hearing on annexation of Sylvan No. 3 Addition to Modesto Municipal Sewer District No. 1 4:00 P.M.

ACTION: Res. 76-1340 adopted (Dunlap/Elliott, unan., Newton absent) annexing Sylvan No. 3 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

12. Hearing on annexation of Oakdale-Sylvan Addition to Modesto Municipal Sewer District No. 1. 4:05 P.M.

ACTION: Res. 76-1341 adopted (Siefkin/Elliott, unan., Newton absent) annexing Oakdale-Sylvan No. 3 Addition to Modesto Municipal Sewer District No. 1. (Clerk to handle)

13. Hearing on amendment to Section 12-3-8 of the zoning map to rezone from R-1 to P-D to permit construction of a commercial and professional office complex, property located at the southeast corner of Dale and Veneman. (Ven-Dale Properties) 4:10 P.M.

ACTION: Ord. 1565-C.S. introduced (Elliott/Kullijian, unan., Newton absent) rezoning area. (Clerk to handle)

Res. 76-1342 adopted (Elliott/Kullijian, unan., Newton absent) approving development plan P-D (146). Planning to handle)

Res. 76-1343 adopted (Elliott/Kullijian, unan., Newton absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

14. Hearing on amendment to Section 23-3-9 of the zoning map to rezone from R-1 to P-D to permit expansion of existing church facility and to construct professional offices and a 50-unit retirement housing project, property located at the southeast corner of Briggsmore and Oakdale. (St. Paul's Episcopal Church) 4:15 P.M.

ACTION: Ord. 1566-C.S. introduced (Kullijian/Mensinger, unan., Newton absent) rezoning area. (Clerk to handle)

Res. 76-1344 adopted (Kullijian/Mensinger, unan., Newton absent) approving development plan P-D (147). (Planning to handle)

Res. 76-1345 adopted (Kullijian/Mensinger, unan., Newton absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

15. 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. (Lawyer and Adams) 4:20 P.M.

ACTION: Ord. 1567-C.S. introduced (Elliott/Kullijian, carried, Siefkin, no, Newton, absent) rezoning area. (Clerk to handle)

Res. 76-1346 adopted (Elliott/Kullijian, carried, Siefkin, no, Newton, absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

16. Hearing on amendment to Section 9-3-9 of the zoning map to rezone from R-1 to R-2, property located on the west side of Coffee Road, north of Sylvan Meadows Drive. (Grand Prix Group) 4:25 P.M.

Ord. 1568-C.S. introduced (Kullijian/Elliott, unan., Newton absent) rezoning area. (Clerk to handle)

Res. 76-1347 adopted (Kullijian/Elliott, unan., Newton absent) directing Director of Planning and Community Development to file Notice re Environmental Review. (Planning to handle)

17. Matters for the good of the community. 4:30 P.M.  
(These may be presented by interested persons in the audience)

Athena Moran spoke about the barrier-free workshop to be held on February 1, 1977.

ACTION: Res. 76-1348 (Kullijian/Elliott, unan., Newton absent) adopted supporting the workshop. (Clerk to handle)

#### NEW BUSINESS

#### CONSENT

18. Consider a resolution appointing Gertrude Cosgrove Acting City Clerk in case of the absence or disability of the City Clerk and the Assistant City Clerk.  
(Memo with agenda. Resolution appointing Acting City Clerk needed)

ACTION: Res. 76-1349 adopted appointing Gertrude Cosgrove Acting City Clerk. (Clerk to handle)

CONSENT

19. Consider reclassification of three Firefighter positions to Fire Engineer and three Fire Engineers to Fire Lieutenants. (Memo with agenda. Motion authorizing reclassification of the three Firefighter positions to Fire Engineer and three Fire Engineers to Fire Lieutenants. Estimated Cost: \$7,2452.00 annually; funds are budgeted.)

ACTION: By motion, reclassification approved. (Personnel to handle)

CONSENT

20. Consider revising Position Classification Plan and amending salary schedules and establishing compensation for new classifications of Building Maintenance Worker and Personnel Clerk I and Personnel Clerk II. (Two attached memos with agenda. Motion approving recommendations and resolution revising Position Classification Plan and resolution amending salary schedule; funds are budgeted.)

ACTION: By motion, recommendations approved.

Res. 76-1350 adopted revising Position Classification Plan.

Res. 76-1351 adopted amending salary schedule.  
(Personnel to handle)

21. Proposed Charter Amendment Dealing with Personnel Commission. (Memo with agenda. Resolution proposing a Charter amendment for March 8, 1977, General Municipal Election needed)

ACTION: By motion (Dunlap/Siefkin, unan., Newton absent) the earlier action regarding the proposed Charter amendment dealing with the Personnel Commission was reconsidered.

By motion (Dunlap/Siefkin, unan., Newton absent) staff to prepare resolution proposing a charter amendment providing a salary of \$50 per meeting, not to exceed two (2) meetings per month, for Planning Commission members.

By motion (Dunlap/Elliott, carried, Kullijian, no, Newton absent) staff to prepare resolution proposing a Charter amendment to increase the City Councilmembers salary to \$75 per meeting, to be in line with what is permitted for General Law cities.

By motion (Dunlap/Siefkin, unan., Newton absent) action on proposed change dealing with the Personnel Commission deferred. (Attorney to handle)

CONSENT

22. Consider Quitclaiming interest to the State of California in a right of way parcel located on State Route 132 (Yosemite Blvd.) at the junction of Mariposa Road, north side. (The State Department of Transportation has requested that the City quitclaim its interest in a parcel of right of way which the County acquired on March 10, 1976 and the City annexed on August 19, 1976. Since this is a State Highway there is no reason for the City to retain any interest in the parcel. Resolution authorizing Mayor to execute Quitclaim Deed needed.)

ACTION: Res. 76-1352 adopted authorizing Mayor to execute Quitclaim Deed. (Clerk to handle)

23. Consider garbage company requests for rate adjustment. (The garbage companies have requested a rate adjustment for garbage service. The proposal for Council consideration has been negotiated between staff and garbage company representatives which provides for an increase in basic rate of garbage service of 40¢ per month, increasing the current charge of \$1.60 for one-can pickup once a week to \$2.00. Memo with agenda. Resolution setting public hearing needed.)

ACTION: Res. 76-1353 adopted (Kullijian/Dunlap, unan, Newton absent) setting informal public hearing on December 27, 1976, at 7:40 P.M. (Clerk to handle)

CONSENT

24. Adjustment to the General Fund budget to enable the financing of a selective traffic enforcement program with current funds recently authorized by the State of California Office of Traffic safety. (Letter from Office of Traffic Safety approving grant application in the amount of \$28,170.25 with agenda. Resolution adjusting the budget needed.)

ACTION: Res. 76-1354 adopted adjusting budget. (Finance to handle)

25. Consider Freeway Maintenance Agreement with State. (The agreement would commit the City to maintain the deck surfacing, street lights, and traffic servicing facilities at the Beckwith and the Carpenter, Briggsmore overcrossings. Terms of agreement are similar to other freeway overcrossing agreements. Resolution authorizing execution of agreement needed. Estimated Cost: Approx. \$500 per year; funds are budgeted.)

DROPPED FROM AGENDA

REPORTS FROM THE PLANNING COMMISSION

CONSENT

26. Recommend amendment to Section 10-3-9 of the Zoning Map - John Pallios. (On December 7, 1976, the Planning Commission adopted Res. No. 76-223 recommending to the Council an 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 Avenue and Oakdale Road. Resolution setting public hearing on January 17, 1977 at 4:05 P.M. needed.)

ACTION: Res. 76-1355 adopted setting hearing. (Clerk to handle)

CONSENT

27. Recommend amendment to Sections 28-3-9 and 33-3-9 of the zoning map - Jennie-Grand Zoning Study. (On November 16, 1976, the Planning Commission adopted Res. 76-196 recommending to the Council an 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 and denying a portion of the proposal (Jennie-Grand Zoning Study). Resolution setting public hearing on January 17, 1977 at 4:10 P.M. needed.)

ACTION: Res. 76-1356 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

28. Legislation

NONE

29. Appointments

NONE

30. Matters too late for the agenda.

ACTION: By motion (Siefkin/Mensing, carried, Kullijian/Mayor Davies, no, Newton absent) the matter of a pay increase for bus drivers was referred to Council Transportation Committee. (Mgr. to handle)

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, DECEMBER 27, 1976 AT 7:30 P.M.

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

Pledge of allegiance to the Flag.

Invocation by Reverend O. D. Johnson, First Christian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 3, 4, 5, 6, 7, 8, 9,  
Item 19 removed from consent 13, 14, 15, 16, 17, 18, 20, 21,  
Dunlap/Elliott, unan. - Newton and 22, 24(a)  
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 December 20, 1976.  
(Motion approving needed)

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

COMMUNICATIONS

2. Letter from Donald R. Hendin regarding street trees.

ACTION: Res. 76-1357 adopted (Kullijian/Dunlap, unan. - Newton and Siefkin, absent) denying request for reasons set forth in memo from Parks and Recreation Department, and giving Mr. Hendin option to dedicate additional easement to include one of the liquid amber trees. (P & R to handle)

CONSENT

3. Letter from Jensen & Gaarde, representing C. J. Rumble & Sons, Inc., requesting abandonment of portions of Dale Road resulting from its realignment.  
(Motion referring to Planning Commission needed)

ACTION: By motion, request for abandonment referred to Planning Commission for report and recommendation. (Planning to handle)

CONSENT

4. Letter from Dennis Wilson appealing E.A.C. requirement for an E.I.R. for the Southwest corner of Orangeburg and Claus - E.A.C. No. 76-213.  
(Resolution setting January 3, 1977 at 4:20 P.M. for public hearing needed)

ACTION: Res. 76-1358 adopted setting public hearing. (Clerk to handle)

CONSENT

5. Letter from First Baptist Church requesting permission to close 12th Street between "M" and "N" on Sundays for six half hour intervals.  
(Motion referring to staff for report needed)

ACTION: By motion, request referred to staff for report and recommendation.  
(P & T and Police to handle)

**CONSENT**

6. Letter from Carol and James Failing appealing Planning Commission decision approving C. A. Tallent's plot plan for apartments on Hintze Ave.  
(Resolution setting hearing January 24, 1977 at 7:35 P.M. needed)

**ACTION:** Res. 76-1359 adopted setting hearing. (Clerk to handle)

**CONSENT**

7. Consider acceptance of Max's Backhoe Service Contract to Replace Sewer Lines in College View Tract.  
(Original Contract: \$27,543.00. 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: \$27,756.70; funds are budgeted)

**ACTION:** Res. 76-1360 adopted accepting work as complete. (Clerk to handle)

**CONSENT**

8. Consider acceptance of Flintkote Company's contract for construction of Select Street Standiford-Dale Road to MID Lateral 7.  
(Original contract: \$197,080.00. All work on this project has been completed to the satisfaction of the City and County Public Works 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: \$197,422.76; funds are budgeted.)

**ACTION:** Res. 76-1361 adopted accepting work as complete. (Clerk to handle)

**CONSENT**

9. Consider authorization to write purchase order for the installation of 1 Morris standby sludge recirculation pump at the Wastewater Treatment Plant.  
(The standby sludge pump was authorized in the 1975-76 budget. The pump has now arrived and it is necessary to have it installed with necessary piping, gaskets, and couplings. Informal bids have been obtained from various contractors engaged in this type of work. The low bid by Howk Well and Equipment Co., Inc. is for \$4,990. It is recommended that authorization be granted to write a purchase order for the above amount. Memo with agenda. Resolution authorizing purchase order needed. Estimated Cost: \$4,990.00; funds are budgeted.)

**ACTION:** Res. 76-1362 adopted authorizing issuance of purchase order for installation of standby sludge pump. (P/W to handle)

**HEARINGS**

10. Hearing on appeal of George E. Ball to the decision of the Planning Commission denying the rezoning from Medium High Density Residential Zone, R-3, to Light Industrial Zone, M-1, property located on the westerly corner of 6th and D Streets. 7:35 P.M.

**ACTION:** Res. 76-1363 adopted (Dunlap/Elliott, unan. - Newton and Siefkin, absent) denying appeal, for reasons set forth in Planning Commission Resolution No. 76-181 without prejudice, and waiving one year limitation to allow application for a P-D zone.  
(Planning to handle)

10. Hearing on appeal of George E. Ball, continued 7:35 P.M.

ACTION: By motion (Mensing/Dunlap, unan.) request made that staff and Planning Commission explore the appropriateness of extending Downtown Planned Development provisions that now apply east of 9th Street to balance of original city square west of 9th Street. (Planning to handle)

11. Informal hearing concerning garbage rates. 7:40 P.M.  
(Memo with agenda)

ACTION: Res. 76-1364 adopted (Dunlap/Elliott, unan. - Newton and Siefkin, absent) continuing hearing to January 10, 1977 at 8:00 P.M. (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

#### ORDINANCES

##### CONSENT

13. Introduction of two ordinances regarding sign regulations. (On December 13, 1976, the City Council approved a comprehensive amendment to the sign regulations. Adoption of two ordinances will implement this action. Memo of further explanation and two proposed ordinances attached. Motions introducing two ordinances needed)

ACTION: Ord. No. 1569-C.S. introduced amending Section 9-5.01 of the Municipal Code relating to numbering of properties. (Clerk to handle)

Ord. No. 1570-C.S. introduced amending Municipal Code, adding Article 35/relating to sign regulations. (Clerk to handle)  
to Title X,

#### NEW BUSINESS

##### CONSENT

14. Consider extending free on-street parking on Saturdays. (Memo with agenda. The one-year authorization ends on December 31, 1976. An extension through June 25, 1977 is recommended. Motion extending free on-street Saturday parking through June 25, 1977 needed)

ACTION: By motion, free on-street parking extended through June 25, 1977. (P & T to handle)

##### CONSENT

15. Consider request for water service to property outside City limits at 3125 Coffee Road, located on the west side of Coffee Road between Rumble Road and Sylvan Avenue. OWNERS: Pauline Israels, Louis Israels and Judy Israels. (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. 76-1365 adopted approving agreement. (P/W to handle)

##### CONSENT

16. S.O.S.P. request for \$2,250. (Memo with agenda. S.O.S.P. is requesting reimbursement at \$450/mo. for the five months through December, 1976, for the transportation service they provide. Resolution approving agreement needed. Estimated Cost: \$2,250; funds are budgeted.)

CONSENT

16. S.O.S.P. request for \$2,250, continued.

ACTION: Res. 76-1366 adopted approving agreement. (P & T to handle)

CONSENT

17. Consider Personnel Rule change.

(Memo with agenda. Resolution to amend Personnel Rule 1.7 (ae) needed)

ACTION: Res. 76-1367 adopted approving amendment to Personnel Rule 1.7 (ae). (Personnel to handle)

CONSENT

18. Consider acceptance of improvements in Oakmont Park No. 2 Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods.

(Developer - James E. Price. Oakmont Park No. 2 Subdivision is located South of Edgebrook Drive and East of Phoenix 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. 76-1368 adopted accepting improvements in Oakmont Park No. 2 Subdivision and authorizing release of bonds. (Clerk to handle)

CONSENT

19. Use of Counter Cyclical Funds from the Public Works Act Of 1976.

(Memo with agenda. Resolution amending the fiscal year 1976-77 budget to estimate revenues and establish appropriations for anti-recessionary fiscal assistance funds, and motion authorizing 5 positions needed. Estimated Revenue: \$390,000.)

ACTION: Res. 76-1369 adopted amending the fiscal year 1976-77 budget to estimate revenues and establish appropriations for anti-recessionary fiscal assistance funds. (Finance to handle)

By motion, six positions are to be filled with Counter Cyclical Funds at a total cost of \$127,075 to include a sign code enforcement inspector. (Finance to handle)

CONSENT

20. Consider amendment to City's Housing Assistance Plan (a part of Community Development Block Grant Application: 1976), and set dates for two public hearings.

(This amendment is necessary to accommodate a request of the Housing Authority of the County of Stanislaus to HUD for approval of 250 units of public housing. Resolution setting public hearing on January 10, 1977 at 7:55 P.M. and on January 17, 1977 at 4:15 P.M. needed.)

ACTION: Res. 76-1370 adopted setting public hearings. (Clerk to handle)

CONSENT

21. Consider reimbursement of moving expenses for Fire Chief Simons. (Memo with agenda. Motion approving payment needed. Estimated Cost: \$373.81; funds are budgeted)

ACTION: By motion, reimbursement of moving expenses for Fire Chief Simon approved in amount of approximately \$373.81. (Finance to handle)

REPORTS FROM THE PLANNING COMMISSION

CONSENT

22. County Referral of Open Space Contract Applications.  
(No. 77-2625, Pat and Clementina Ursini, 4309 Oakdale Road.  
No. 77-2611, Glenn and Charlotte Sparks, (E. side Coffee, Claratina Ave. Extension)  
No. 77-2568, Melba and Duane Walker, 4016 Carver Road.  
No. 77-2604, Tom Sutter, 4030 Dale Road.  
No. 77-2502, Robert and Lora Lyon, 425 Frazine Road.  
(5 resolutions expressing recommendation of opposition needed)

- ACTION: Res. 76-1371 adopted recommending opposition, 77-2625, Pat and Clementina Ursini, 4309 Oakdale Road. (Planning to handle)
- Res 76-1372 adopted recommending opposition, 77-2611, Glenn and Charlotte Sparks, (East side Coffee, Claratina Ave. extension) (Planning to handle)
- Res. 76-1373 adopted recommending opposition, 77-2568, Melba and Duane Walker, 4016 Carver Road. (Planning to handle)
- Res. 76-1374 adopted recommending opposition, 77-2604, Tom Sutter, 4030 Dale Road. (Planning to handle)
- Res. 76-1375 adopted recommending oppoisition, 77-2502, Robert and Lora Lyon, 425 Frazine Road. (Planning to handle)

MISCELLANEOUS

23. Legislation.

NONE

24. Appointments

CONSENT

- (a) Consider appointments to City of Modesto Youth Commission.  
(Memo with agenda. Resolution making appointments needed.)

- ACTION: Res. 76-1376 adopted appointing Ellen Morales, replacing Cherri Ebright, (Beyer High); Suzanne Fisher, replacing Julie Carlisle (Modesto High) for a term ending December 1, 1977, and reappointing John Dodge (Central Catholic High) and Janet Vogelzang (Davis High) for a term ending June 1, 1977. (Clerk to handle)

- (b) Others.

- ACTION: Res. 76-1377 adopted (Dunlap/Mensing, unan. - Newton and Siefkin, absent) appointing Lori Hammer, Chairman of the Modesto Youth Commission, as a member of the Human Rights Commission for a term ending June 1, 1977. (Clerk to handle)

25. Matters too Late for the Agenda.

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

- (a) By motion (Kullijian/Dunlap, unan.) the Council indicated its intent to continue hearing on the sign ordinance, outdoor signs, from January 3, 1977 at 4:00 P.M. to January 17, 1977 at 4:20 P.M. (Clerk to handle)

25. Matters too Late for the Agenda, continued.

ACTION: (b) Councilmember Dunlap announced that he would be absent from the February 7, 14, and 21, 1977 council meetings.

Adjournment at 8:17 P.M.

ATTEST: Pauline P. Stanley  
PAULINE P. STANLEY  
Acting City Clerk