

MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 2, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Irizarry, Lang, Muratore, Patterson,
Mayor Whiteside

Councilmember Patterson arrived at 4:05 p.m.

Absent: Councilmember Bird

Pledge of allegiance to the Flag

Invocation: Mark Randy, Church of Jesus Christ of Latter Day Saints

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 8, 9, 10, 11, 12, 13,
14, 15, 16, 17, 18, 19, 20

ACTION: Lang/Irizarry, unan., Patterson absent

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council.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.

A copy of this agenda may be obtained in the City Clerk's Office.)

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

By motion (Muratore/Irizarry, unan., Bird and Patterson absent) item 20A was considered before item 1.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Bill Nichols introduced Charlie Woods, a new Planning and Community Development Department employee in charge of the Advanced Planning section.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of December 26, 1989.
(Motion approving needed.) (Clerk to handle)

ACTION: By motion, minutes approved.

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Ron Jourdenaise spoke.

Gary Whitfield spoke about problems in and near Sonoma Park.

UNFINISHED BUSINESS

4. Consider amending Redevelopment Survey Area and adding additional area. (Memo with agenda. Resolution amending survey area needed.)

ACTION: By motion, (Lang/Muratore, unan., Bird absent) this item was continued to January 16, 1990, at 4:00 p.m.
(Attorney/Clerk to handle)

CONSENT

5. Final adoption of:
- a. Ord. No. 2697-C.S. rezoning from R-3 to P-D(468), property located on the southwest corner of Merle Avenue extended, north of Briggsmore Avenue. (florsheim Bros. and J. C. Williams Co.)
 - b. Ord. No. 2698-C.S. rezoning from R-1 to P-D(469), property located on the north side of Cooldige Avenue west of Sunrise Avenue. (Said Akhzar)
 - c. Ord. No. 2699-C.S. relating to decorative banners in certain commercial areas.

- d. Ord. No. 2700-C.S. relating to participation in cost of existing sewers.

(Motion adopting needed.)

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

HEARINGS

6. Hearing to consider an amendment to Section 18-3-9 of the Zoning Map to rezone from C-1 to P-D, as an addition to P-D(415), property located on the north side of Evergreen Avenue, east of Orangeburg Avenue. (Oates, Erickson and Houlihan) (Continued from the December 5, 1989, City Council meeting.)

ACTION: By motion (Muratore/Lang, unan., Bird absent) Ordinance No. 2701-C.S. introduced amending the Zoning Map.
Res. 90-1 adopted (Muratore/Lang, unan., Bird absent) approving development plan.
Res. 90-2 adopted (Muratore/Lang, unan., Bird absent) certifying review of the environmental assessment.
(Clerk/Planning & C. D. to handle)

7. Hearing to consider an increase in residential garbage rates.

ACTION: Res. 90-3 adopted (Muratore/Patterson, unan., Bird absent) approving increased rates.
Res. 90-3A adopted (Muratore/Patterson, unan., Bird absent) approving appropriation transfer. (Finance to handle)

BIDS

CONSENT

8. Consider specifications and authorizing call for bids to be opened January 29, 1990, at 11:00 a.m. for furnishing computer hardware. (Memo with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$25,600. Funds are budgeted.)

ACTION: Res. 90-4 adopted approving specifications and authorizing call for bids. (Finance to handle)

CONSENT

9. Consider approving specifications and call for bids to be opened February 12, 1990, at 11:00 a.m. for furnishing and installing a refuse compactor/container for the Corporation Yard. (Requested by the Parks and Recreation Department. The current compactor/container is leased. We now have requirements for a larger size. By purchasing the compactor/container, the City will realize a

savings. Memo with agenda. Resolution approving specifications and calling for bids needed. Estimated cost: \$15,500. Funds to be requested later.)

ACTION: Res. 90-5 adopted approving specifications and authorizing call for bids. (Finance to handle)

CONSENT

10. Consider approving specifications and call for bids to be opened February 5, 1990, at 11:00 a.m. for furnishing City-wide elevator maintenance service.
(This action is requested by the Purchasing Division in an attempt to consolidate all City elevator maintenance. This consolidation will result in a substantial cost savings and better management of the maintenance service. Memo with agenda. Resolution approving specifications and calling for bids needed. Estimated cost: \$75,000. Funds are budgeted.)

ACTION: Res. 90-6 adopted approving specifications and authorizing call for bids. (Finance to handle)

CONSENT

11. Consider award of contract for the construction of Improvement District No. 28 sanitary sewer to Superior Pipelines, Inc.
(Bids were opened on September 21, 1989. The low bid of \$805,717.05, submitted by Superior Pipelines, Inc., is 17.91% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Superior Pipelines, Inc. Memo and bid tabulation with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 90-7 adopted awarding contract. (Public Works & Trans. to handle)

CONSENT

12. Consider authorizing the purchase of a skid-mounted air compressor from Edward R. Bacon Co. for the total cost of \$8,747.90.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 90-8 adopted authorizing purchase. (Finance to handle)

CONSENT

13. Consider waiving formal bid procedures and authorize the purchase of one tree stump grinder from Vermeer Equipment for the total cost of \$25,928.
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-9 adopted waiving formal bid procedures and authorizing purchase. (Finance to handle)

NEW BUSINESS

CONSENT

14. Consider approving lease agreement with Modesto Executive Air Charter, Inc., dba Skytrek, for its use of Hangar Plots 3, 4, and 5 at the Modesto Airport.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-10 adopted approving lease agreement. (Attorney to handle)

CONSENT

15. Consider approving lease agreement with Robert D. and Catherine L. Banghart, dba Kay's Collectibles and Costume Rentals.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-11 adopted approving lease agreement. (Attorney to handle)

CONSENT

16. Consider request of Mr. & Mrs. Jesus Ayala to amend collection of costs for the installation of curb and sidewalk at 1714 Monterey Avenue.
(The ten year payment plan is requested. Resolution 89-649, which confirmed a short term collection of \$1,419, would need to be rescinded. The Ayala's purchased this property after the City's collection lien was filed and state that they are not able to pay the special assessment attached to their property tax bill. Resolution approving payment over ten years needed.)

ACTION: Res. 90-12 adopted approving payment over 10 years.
(Clerk/Public Works & Trans. to handle)

CONSENT

17. Consider request of Mr. & Mrs. Manuel Madrigal to amend collection of costs for the installation of curb and sidewalk at 1718 Monterey Avenue.
(The ten year payment plan is requested. Resolution 89-650, which confirmed a short term collection of \$1,253, would need to be rescinded. The Madrigal's did not request time payments, but not realize a hardship in trying to pay the City's the special assessment lien attached to their property tax bill. Resolution approving payment over ten years needed.)

ACTION: Res. 90-13 adopted approving payment over 10 years.
(Clerk/Public Works & Trans. to handle)

CONSENT

18. Consider request for refund \$857.48 for overpayment of business license taxes by Velocity Engineering.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-14 adopted approving refund. (Finance to handle)

CONSENT

19. Consider request for refund \$1,041.88 for overpayment of business license taxes by All Seasons Inn.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-15 adopted approving refund. (Finance to handle)

CONSENT

20. Consider approval of the final map of Mountainview Terrace Unit No. 2 subdivision of the City of Modesto and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code. (Owners: Security Owners Corporation)
(The subdivision agreement has been signed and all fees paid.
Mountainview Terrace Unit No. 2 is located north of Kansas Avenue and east of Rosemore Avenue. It contains 8.302 acres. Resolution approving final map needed.)

ACTION: Res. 90-6 adopted approving final map. (Clerk to handle)

- 20A. Consider adopting a resolution of condolence to the family of William Gibbs as requested by Councilmember Irizarry.
(Resolution of condolence needed.)

ACTION: Res. 90-17 adopted expressing condolence. (Clerk to handle)

WRITTEN COMMUNICATIONS

Letter from Philip J. Casanova requesting that a portion of the permit fees for the Vintage Grove Townhouse Association project.

Dropped from agenda at Mr. Casanova's request.


MATTERS TOO LATE FOR THE AGENDA

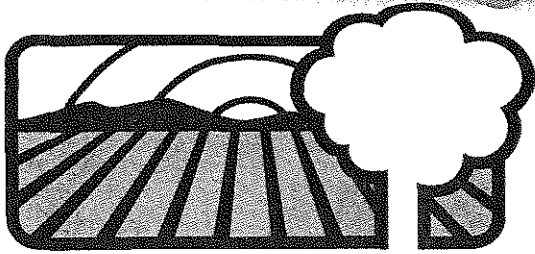
22. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 5:37 p.m.

ATTEST: 
NORRINE COYLE, City Clerk
1-2-90



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 9, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 6, 8, 9,

Removed from consent: 7

ACTION: Lang/Irizarry, unan.

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1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of January 2, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Bill McCormick and Greg Dias spoke about cruising on McHenry Avenue.

UNFINISHED BUSINESS

CONSENT

4. Final adoption of Ordinance No. 2701-C.S. rezoning from C-1 as an addition to P-D(415) property located on the north side of Evergreen Avenue east of Orangeburg Avenue. (Oakes, Erickson, and Houlihan)

ACTION: By motion, Ord. No. 2701-C.S. adopted. (Clerk to handle)

NEW BUSINESS

5. Consider authorizing City Manager to sign an agreement with Susan Fiscoe for Golf Professional Services at Dryden and Muni Golf Courses.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-18 adopted (Lang/Irizarry, unan.) approving agreement.

(P & R to handle)

CONSENT

6. Consider excusing Councilmembers Bird, Irizarry, Muratore, Patterson and Mayor Whiteside for being absent from the City Council meeting of December 19, 1989, due to their attendance at the annual League of California Cities conference.
(Motion excusing absences needed.)

ACTION: By motion, absences excused.

(Clerk to handle)

7. Consider amending the budget to estimate and appropriate developer's contribution toward the College West EIR/General Plan Amendment study. (On November 14, 1989, the City Council approved agreements with Michael Clayton & Associates to provide services for a new Capital Improvement Project, and with Resource Development, Inc., to contribute funding for the new project. It is necessary to amend the budget to estimate and appropriate the developer's contribution of \$88,495. Resolution amending the budget needed.)

(Councilmember Bird excused due to a conflict of interest.)

ACTION: Res. 90-19 adopted (Patterson/Irizarry, unan., Bird absent)
amending the budget. (Finance to handle)

CONSENT

8. Consider approval of the final map of Dry Creek Vista Unit Two Subdivision of the City of Modesto and accepting the improvements. Subdivider: North Star Estates, Inc. (All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Dry Creek Vista Unit Two is located on the west side of North McClure Road and north of Yosemite Boulevard. It contains 13.850 acres. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 90-20 adopted approving final map and accepting improvements. (Clerk to handle)

CONSENT

9. Consider acceptance of improvements in Dry Creek Vista Unit No. 1 Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdivider: North Star Estates, Inc. (All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Dry Creek Vista Unit No. 1 is located on the west side of North McClure Road and north of Yosemite Boulevard. It contains 13.729 acres. Resolution accepting improvements needed.)

ACTION: Res. 90-21 adopted accepting improvements. (Clerk to handle)

10. Consider authorizing the City Manager to execute an agreement with the County of Stanislaus to provide certain public services to the County jail facility. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-22 adopted approving agreement. (City Manager to handle)

11.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

ACTION: By motion, (Patterson/Bird, unan.) it was determined that the need to take action arose after the agenda was prepared.

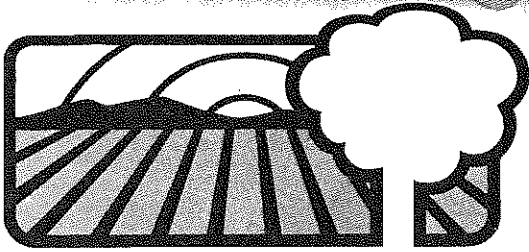
Res. 90-23 adopted (Muratore/Bird, unan.) expressing condolence to the wife and family of former Councilmember Robert Elliott.

(City Manager to handle)

ADJOURNMENT

The meeting adjourned at 9:40 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 16, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 10, 11, 12, 13, 14, 15,
16, 17, 18, 19, 20, 22, 23, 24

ACTION: (Lang/Bird, unan.)

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ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of special recognition plaques and certificates for co-sponsorships of the City's 1989 Recreation Program (Plaques and certificates are to be given to various businesses and organizations that assisted the City in co-sponsoring recreation activities. Memo with agenda.)

Presentations made by Mayor Whiteside

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of January 9, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

4. Oral report on status of removal of 9th Street trains.
(Consulting Engineer on this project will give a report and answer questions.)

No action taken.

5. Consider amending a previous resolution establishing a Redevelopment Survey Area.
(Memo with agenda. Resolution amending Resolution 82-855, to add additional areas to the Redevelopment Survey Area, and rescinding the boundaries of said Redevelopment Survey Area needed.)

Councilmember Irizarry's name was drawn to sit as the fourth member of the Council to consider this item.

Mayor Whiteside and Councilmember Bird were excused due to conflicts of interest.

Mayor Whiteside designated Councilmember Lang as Mayor protem.

ACTION: Res. 90-24 adopted (Muratore/Patterson, unan., Bird and Whiteside absent) amending Res. 82-855 and approving the new boundaries.

6. Status report on traffic problems in the City of Modesto.
(Memo with agenda. Motion accepting report needed.)
Councilmember Muratore excused for 5 minutes.

ACTION: By motion (Lang/Patterson, unan., Muratore absent) report accepted.
(P/W to handle)

7. Consider the following actions in connection with the golf course site:
1. Approving sale and leaseback of golf course site with Modesto Public Financing Authority and approving, authorizing and directing execution of certain lease financing documents,
 2. Approving the form and authorizing distribution of a Preliminary Official Statement, an Official Notice of Sale and an Official Bid form in connection with the offering and sale of Certificates of Participation relating thereto, and
 3. Approving related documents and authorizing and directing certain actions with respect thereto.

(Memo with agenda. Resolution needed.)
Councilmember Bird excused due to a conflict of interest.

ACTION: Res. 90-25 adopted (Lang/Muratore, unan., Bird absent) approving sale and leaseback of golf course site.

BIDS

CONSENT

8. Consider approving specifications and authorizing call for bids to be opened February 12, 1990, at 11:05 a.m. for furnishing two vans and one van with aerial lift.
(Requested by the Service Division of Public Works, the two vans will replace 18-year old trucks; the van with aerial lift will be an additional unit. All will be used for electrical and overhead traffic signal repair throughout the City. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$18,962, \$19,100, and \$37,100 respectively. Funds are budgeted.)

ACTION: Res. 90-26 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider waiving formal bid procedures and authorize the purchase of computer equipment from Chuck's Computers for the total cost of \$6,372.
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-27 adopted waiving formal bid procedure. (Finance to handle)

CONSENT

11. Consider waiving formal bid procedures and authorize the issuance of a purchase order to Conco West, Inc., for \$17,050 for installation of a manhole at the intersection of 9th and L Streets.
(Memo with agenda. This manhole is needed to handle sewage coming from the 10" service at the Red Lion Inn. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-28 adopted waiving formal bid procedure. (Finance to handle)

NEW BUSINESS

CONSENT

12. Consider acceptance of improvements in Mountain View Terrace Unit 1 Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Security Owners Corporation.
(All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Mountainview Terrace Unit No. 1 is located north of Kansas Avenue and east of Rosemore Avenue. It contains 14.425 acres. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 90-29 adopted accepting improvements as complete.
(Clerk to handle)

CONSENT

13. Consider approval of the revised subdivision agreement for the Adobe Abode Subdivision.
(The final map has been filed and the revised subdivision agreement allows for phased construction of an 8 foot high sound wall adjacent to Highway 99. Memo with agenda. Resolution approving revised subdivision agreement needed.)

ACTION: Res. 90-30 adopted approving revised subdivision agreement.
(Clerk to handle)

CONSENT

14. Consider appropriation of \$55,000 of Local Transportation Funds from the Contingency Reserve to the Dry Creek Bicycle and Pedestrian Bridge account.
(Memo with agenda. The transfer is needed to complete a bicycle and pedestrian bridge and pathway linking Coffee Road at Scenic Drive to Dry Creek Park. Resolution approving appropriation transfer needed. Estimated total cost: \$194,700. Funds are partially budgeted.)

ACTION: Res. 90-31 adopted approving appropriation transfer.
(Planning/Finance to handle)

CONSENT

15. Consider increasing the emergency repair purchase order to Sancon Engineering by \$180,000, from \$270,000 to \$450,000.
(Additional work is required to repair joints and coat the interior of the 60" outfall trunk sewer that connects the primary wastewater treatment plant to the secondary remote ponds. Memo with agenda. Resolution waiving formal bid requirements and increasing purchase order amount needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-32 adopted increasing purchase order amount. (P/W to handle)

CONSENT

16. Consider amending Resolution 87-1300 to retain the 1989 rental rates at the Senior Citizens Center during 1990.
(Memo with agenda. Resolution amending Resolution 87-1300 needed.)

ACTION: Res. 90-33 adopted amending Resolution 87-1300 regarding rental rates at the Senior Citizens Center. (P/R to handle)

CONSENT

17. Consider approving lease agreement with Gallo Glass Company for the lease of Mark Twain Park site.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-34 adopted approving agreement. (Attorney to handle)

CONSENT

18. Consider approving lease agreement with George Frederickson for the lease of a portion of Fire Station #5.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-35 adopted approving agreement. (Attorney to handle)

CONSENT

19. Consider amending the budget to estimate and appropriate newly established Capital Facility Fees.
(Three new Capital Facilities Fees were adopted by Council on November 21, 1989. This action will amend the 1989-90 Annual Budget to estimate and appropriate these new revenues to reserves. Resolution amending the budget needed.)

ACTION: Res. 90-36 adopted amending the budget. (Finance to handle)

CONSENT

20. Presentation of monthly Treasurer's Report for December, 1990.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

WRITTEN COMMUNICATIONS

Councilmember Lang excused at 6:05 p.m.

21. Letter from Paul Holtzclaw, P & R Enterprises, requesting a time extension of 90 days for paying capital facilities fees for the Houser Glen Senior Apartments, Phase II, project.

ACTION: Res. 90-37 adopted (Muratore/Patterson, unan., Lang absent) approving request for time extension. (Attorney to handle)

CONSENT

22. Letter from Harlan E. Smith, Modesto Camellia Society, requesting the donation of the Sweepstakes Trophy for the Camellia Show on March 17 and 18, 1990.
(Motion approving request needed.)

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

CONSENT

23. Letter from Dawn Dettart requesting permission to file a late claim.
(Resolution denying request needed.)

ACTION: Res. 90-38 adopted denying late claim. (Clerk to handle)

CONSENT

24. Letter from Colleen O'Brien Preston appealing a Planning Commission decision concerning the vesting tentative subdivision map of Wyldewood Village between Rosemore Avenue and Dan West Court.
(Resolution setting hearing February 6, 1990, at 4:00 p.m.)

ACTION: Res. 90-39 adopted setting hearing. (Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

25. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 6:25 p.m.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 23, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Irizarry, Lang, Muratore, Patterson

Absent: Mayor Whiteside

Pledge of allegiance to the Flag

Invocation: Rev. Steve Elliott, Prescott Evangelical Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 9, 12,
13, 14, 15, 16, 19, 22

Removed from consent: 11, 17

Dropped from agenda: 8

ACTION: (Lang/Muratore, unan., Mayor Whiteside absent)

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1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of January 16, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Tom Maher spoke about voting by mail.

Ron Jourdenaise spoke about a parking garage.

Bud Ferrell spoke about problems with the Building Inspection Division and had concerns about "low income" housing.

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for water line extension at M.I.D. Lateral No. 6, Standiford Avenue and Dale Road; and approval of an appropriation transfer of \$59,000 from the Water Fund Reserve.

(Suggested bid opening: February 13, 1990, at 11:00 a.m. This project will provide piping to City water wells No. 58 and 51. It will also complete a water system loop on Standiford Avenue. During the C.I.P. process, there was some uncertainty of availability of funds. As funds have become available, appropriations are being made on an "as needed" basis. Resolution approving plans and specifications and calling for bids; and resolution approving appropriation transfer needed. Estimated cost: \$85,312 (contract - \$71,094; eng. & cont. - \$14,218). Funds are partially budgeted.)

ACTION: Res. 90-40 adopted calling for bids.
Res. 90-41 adopted approving appropriation transfer.
(Public Works to handle)

CONSENT

5. Consider approving specifications and call for bids to be opened March 26, 1990, at 11:00 a.m. for furnishing nine transit coaches (buses) with wheel chair capability.
(Memo with agenda. Resolution approving specifications and calling for bids needed. Estimated cost: \$1,000,000. Appropriation transfer will be requested after U.M.T.A. and Local Transportation Funds are received.)

ACTION: Res. 90-42 adopted calling for bids. (Finance to handle)

CONSENT

6. Consider approving specifications and call for bids to be opened February 12, 1990, at 11:00 a.m. for furnishing three new vibratory compactor plates.
(Requested by the Public Works Service Division, the vibratory compactor plates will be used by the Street Division to make asphalt repairs on City streets. Resolution approving specifications and calling for bids needed. Estimated cost: \$5,889. Funds are budgeted.)

ACTION: Res. 90-43 adopted calling for bids. (Finance to handle)

CONSENT

7. Consider approving specifications and call for bids to be opened February 12, 1990, at 11:05 a.m. for furnishing one new current model year packer truck.
(Requested by the Public Works Transportation Division, the packer truck will be used by the Street Cleaning Section for compaction of limbs and brush. This truck will replace a 1978 International Harvester Model Cabover 1950-B. Resolution approving specifications and calling for bids needed. Estimated cost: \$113,738. Funds are budgeted.)

ACTION: Res. 90-44 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider approving specifications and call for bids to be opened February 12, 1990, at 11:10 a.m. for furnishing one Police motorcycle.
(Memo with agenda. Resolution approving specifications and calling for bids needed. Estimated cost: \$7,200. Appropriation transfer will be requested when the bid is to be awarded.)

Dropped from agenda

CONSENT

9. Consider declaring Northwest Motor Welding low bid on and authorize the purchase of two rebuilt diesel bus engines for the total price of \$16,575.
(Memo with agenda. Resolution declaring low bidder needed. Funds are budgeted.)

ACTION: Res. 90-45 adopted awarding bid. (Finance to handle)

10. Consider awarding contract for the Modesto Municipal 18-hole golf course, subject to sale of bonds.
(Bids were opened January 11, 1990. It is appropriate to award the contract to the lowest responsible bidder. A protest of award to the apparent low bidder has been filed by the third low bidder. The protest is being evaluated. An oral report will be made at the Council meeting. Memo and letter of protest with agenda. Resolution awarding contract contingent upon sale of bonds.)
Acting Mayor Bird was excused due to a conflict of interest.
Councilmember Lang was designated Mayor pro tem.

ACTION: Res. 90-46 adopted (Irizarry/Muratore, unan., Bird and Whiteside absent) awarding bid to Hackett Environmental Systems, Inc.
(P/W to handle)

NEW BUSINESS

11. Consider requesting the State Legislature for revisions to SB 300, Statutes of 1989.
(Memo with agenda. SB 300 omitted State Route 132 from the listing of Interregional Roads which might be eligible for funds under SB 300. This resolution would ask that State Route 132 be included. Resolution requesting revisions needed.)

ACTION: Res. 90-47 adopted (Muratore/Patterson, unan., Whiteside absent) requesting revisions.
(Manager to handle)

CONSENT

12. Consider approving the Modesto City-County Airport "General Aviation Aircraft Hangar Policy."
(Memo with agenda. Resolution approving policy needed.)

ACTION: Res. 90-48 adopted approving policy. (P/W to handle)

CONSENT

13. Consider approving the Modesto City-County Airport "Aircraft Hangar Waiting List Policy."
(Memo with agenda. Resolution approving policy needed.)

ACTION: Res. 90-49 adopted approving policy. (P/W to handle)

CONSENT

14. Consider approving the Modesto City-County Airport's preapplication for federal funds to complete the installation of a fire protection water main to the passenger terminal.
(Memo with agenda. Resolution approving preapplication needed.)

ACTION: Res. 90-50 adopted approving preapplication. (P/W to handle)

CONSENT

15. Consider authorizing the City Manager to sign a grant application for \$300,000 in funding from the California Department of Water Resources for bank repair to Dry Creek at Beard Brook Park.
(Memo with agenda. Resolution approving grant application needed.)

ACTION: Res. 90-51 adopted approving grant application. (P/R to handle)

CONSENT

16. Consider approving agreement with Sharpe Group for lease of office building No. 2 and tie down spaces at the Modesto Airport.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-52 adopted approving agreement. (Atty to handle)

17. Consider the following actions in connection with Public Facilities District No. 6 to widen major streets -- Coffee, Oakdale, and Prescott Roads:

1. Resolution approving boundary map.
2. Resolution rescinding Res. 88-291 and providing a Statement of Intention.
3. Resolution setting public hearing on February 27, 1990, 7:30 p.m., for Determining Public Convenience and Necessity.
4. Resolution accepting Engineer's Report and setting protest hearing on February 27, 1990, 7:30 p.m.
5. Resolution calling for construction bids to be opened February 15, 1990, at 11:00 a.m.
6. Resolution approving agreement with Seidler-Fitzgerald to serve as Financial Advisor.

(Memo with agenda. The actions are the first steps in the Assessment Proceeding process in accordance with the Municipal Improvement Act of 1913. Estimated cost: \$1,557,900. Funds are partially budgeted.)

ACTION: Res. 90-53 adopted (Patterson/Lang, unan., Whiteside absent) approving boundary map.
Res. 90-54 adopted (same vote) providing Statement of Intention.
Res. 90-55 adopted (same vote) setting hearing.
Res. 90-56 adopted (same vote) accepting Engineer's Report.
Res. 90-57 adopted (same vote) calling for construction bids.
Res. 90-58 adopted (same vote) approving agreement. (P/W to handle)

18. Consider donation of surplus 1958 fire engine to Guaymas, Sonora, Mexico. (Memo with agenda. Resolution finding the transfer of the Fire Department's surplus fire engine to the Modesto Hispanic Leadership Council for donation to the City of Guaymas accomplishes a public purpose for the City of Modesto, and authorize the transfer to the Modesto Hispanic Leadership Council for donation to the City of Guaymas needed.) Councilmember Irizarry excused due to a conflict of interest.

ACTION: Res. 90-59 adopted (Lang/Muratore, unan., Whiteside absent)
(Fire to handle)

CONSENT

19. Consider extending the Waste-to-Energy Joint Powers Agreement to December 31, 1990. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-60 adopted approving agreement. (P/W to handle)

WRITTEN COMMUNICATIONS

20. Letter from Fred Ponder and Bob McFarland requesting that fees be waived for a golf tournament in honor of Andrew Silva. (Memo with agenda.)

ACTION: A motion to approve request did not receive a second. By motion (Irizarry/Patterson, unan., Whiteside absent) the request was denied.

21. Letter from Steven A. Herum, Attorney, requesting that the City proceed with annexation of property in the Claratina area. (Previous letter and response from Director of Planning and Community Development with agenda.)

ACTION: By motion (Muratore/Lang, unan., Whiteside absent) Mr. Herum's December 27, 1989, letter was accepted as a new formal request to review the proposed Claratina Annexation. (Planning to handle)

CONSENT

22. Letter from Yes, You Can Children's Museum for permission to hold the third annual "World at Third Street" Festival on May 19, 1990, on Third Street between I and J. (Resolution granting request needed.)

ACTION: Res. 90-61 adopted granting request. (P/R to handle)

23. Letter from residents of Elmwood Avenue concerning problems in their neighborhood.

No action taken.

24.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

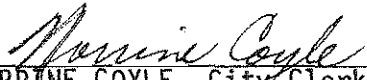
CLOSED SESSION

There will be a closed session to discuss salaries, salary schedules or compensation pay in the form of fringe benefits for represented and unrepresented employees, pursuant to Government Code Section 54597.6, at the request of Councilmember Patterson.

ADJOURNMENT

The meeting adjourned at 10:13 p.m. to closed session.

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 6, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Irizarry, Lang, Mayor Whiteside

Absent: Councilmembers Muratore, Patterson

Pledge of allegiance to the Flag

Invocation: Mark Randy, Church of Jesus Christ

A. Certification of canvass of votes at the January 30, 1990, election.

ACTION: Res. 90-62 adopted (Irizarry/Bird, unan., Muratore and Patterson absent) certifying canvass of votes.

B. Oath of Office by newly-elected City Councilmember.

Oath of office taken by Stan Dobbs.

C. Remarks.

Councilmember Dobbs made some remarks.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 9, 11, 12, 13, 14, 15,
16, 17, 18, 19, 20, 21, 22, 23, 24,
25, 26, 27, 28, 29, 30, 31, 32, 33,
34, 35, 36, 37, 39, 40, 41, 42, 43,
44

ACTION: (Lang/Bird, unan., Muratore and Patterson absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.)

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. a. Presentation of plaque to Wastewater Collection Division, named by California Water Pollution Control Association as "Collection Systems Department of the Year."

Mayor Whiteside presented the plaque to Division employees.

- b. Presentation of Mayor's proclamation concerning Vocational Education Week, February 25, through March 3, 1990.

Mayor Whiteside presented the proclamation to Assistant Superintendent Delbert Rydquidst.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of January 23, 1990.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Daniel Marsh spoke about the Red Lion Hotel.

UNFINISHED BUSINESS

4. Consider amendment to the contract with Economic and Planning Systems, Inc., for work on Village 1.
(Memo with agenda. This is a time and materials contract. The \$15,130 budgeted for an Affordable Housing Strategy has been expended. An additional \$10,825 is needed to complete the work. Resolution amending the agreement with Economic and Planning Systems, Inc., to amend "not to exceed amount" for Gabriel-Roche, Inc., from \$15,130 to \$25,955; and resolution amending budget to provide additional financing needed.)

ACTION: Res. 90-62 adopted (Lang/Whiteside, unan., Muratore and Patterson absent) amending the agreement.

Res. 90-63 adopted (same vote) amending the budget.

(Planning to handle)

5. Consider request of James Marshall School administration for all-way stop signs at Sutter and Elsie.
(Memo with agenda. Staff cannot support the School's request and recommends denial. Motion accepting staff recommendation needed.)

ACTION: By motion (Lang/Bird, unan., Muratore and Patterson absent) staff recommendations accepted, and staff requested to research temporary signs used in some areas during school hours.
(P/W and Trans.to handle)

HEARINGS

6. Hearing to consider an amendment to Section 20-3-9 of the Zoning Map to rezone from R-2 to C-1, property located on the east side of Ardmore Avenue north of West Orangeburg Avenue. (John C. Waterbury)

ACTION: By motion (Irizarry/Dobbs, unan., Muratore and Patterson absent) Ord. No. 2702-C.S. introduced.
Res. 90-64 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

7. Hearing to consider the appeal of Colleen O'Brien Preston to a Planning Commission decision concerning the vesting tentative subdivision map of Wyldewood Village between Rosemore Avenue and Dan West Court.

ACTION: Res. 90-65 adopted (Lang/Bird, majority, Irizarry-no, Muratore, Patterson absent) denying the appeal.

BIDS

CONSENT

8. Consider approving specifications and authorizing call for bids to be opened March 5, 1990, at 11:00 a.m., for furnishing one new truck with service crane and utility body.
(Requested by the Service Division of the Public Works and Transportation Department, the truck will replace an 11 year old unit nearing the end of its serviceable life. The truck will be used for pump maintenance at the Wastewater Treatment Plant. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$33,000. Funds are budgeted.)

ACTION: Res. 90-66 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider authorizing the purchase of seven gas detectors from WECO Industries, Inc., for the total price of \$14,601.81.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 90-67 adopted awarding bid. (Finance to handle)

CONSENT

11. Consider declaring Country Ford Trucks of Modesto sole bidder and authorize the purchase of one new truck cab and chassis for the total price of \$16,071.38.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 90-68 adopted awarding bid. (Finance to handle)

CONSENT

12. Consider declaring Dow-Hammond Co. sole bidder and authorize the purchase of two new trucks for the Police Department for the total price of \$24,713.75.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 90-69 adopted awarding bid. (Finance to handle)

CONSENT

13. Consider waiving formal bid procedures and authorize the purchase of computer software from Hansen Software, Inc., for the total price of \$20,900.
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-70 adopted waiving formal bid procedure. (Finance to handle)

CONSENT

14. Consider waiving formal bid procedures and authorize the purchase of computer equipment from IBM, Inc., for the total price of \$18,396.
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-71 adopted waiving formal bid procedure. (Finance to handle)

CONSENT

15. Consider waiving formal bid procedures and authorize staff to request informal bids for removal of light poles at John Thurman Field, for purchase and installation of light poles, and to hire a consultant to prepare plans and specifications for installation of poles.
(Memo with agenda. Resolution waiving formal bid procedures and authorizing staff to obtain informal bids needed. (Five affirmative votes needed.)

ACTION: Res. 90-72 adopted waiving formal bid procedure. (P/R to handle)

CONSENT

16. Consider acceptance of B & L Builders' contract for replacing the boiler at the Water Quality Control Plant. Original contract: \$94,244. (All work on this project has been completed to the satisfaction of the Public Works and Transportation Department. It is therefore recommended that the contract be accepted as complete and the Notice of Completion filed. Memo with agenda. Resolution accepting contract as complete needed. Final cost: \$95,786. Funds are budgeted.)

ACTION: Res. 90-73 adopted accepting as complete. (Clerk to handle)

NEW BUSINESS

CONSENT

17. Consider approving agreement with Esthermae Soper for the acquisition of a .01+ acre easement. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-74 adopted approving agreement. (Atty to handle)

CONSENT

18. Consider authorizing the City Manager to sign a hold harmless agreement with Modesto Junior College for the use of their track, stadium and pool for an Easter Track Meet, the Superstars competition, and the Youth Sports Camp. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-75 adopted approving agreement. (P/R to handle)

CONSENT

19. Consider approving an agreement with the Dallas Brass for one performance on March 31, in Modesto. (Memo with agenda. The performance will be a fund raiser for the International Friendship Committee. Estimated cost: \$4,000. Funds are budgeted.)

ACTION: Res. 90-76 adopted approving agreement. (Mgr. to handle)

CONSENT

20. Consider amending Personnel Rules 7, 12, and 16, concerning method of filling vacancies, appeals and hearings, and grievance procedure. (Memo with agenda. Resolution approving amendments needed.)

ACTION: Res. 90-77 adopted approving amendments. (Mgr. to handle)

CONSENT

21. Consider authorizing City Manager and City Clerk to execute a Quitclaim Deed to M.I.D. (Memo with agenda. Resolution approving Quitclaim Deed needed.)

ACTION: Res. 90-78 adopted approving Quitclaim Deed. (Atty to handle)

CONSENT

22. Consider authorizing staff to request proposals from traffic engineering firms for services relating to the 1990 Fuel Efficient Traffic Signal Management Project (FETSIM).

(Memo with agenda. This is the first step in the selection process for engaging consulting engineers. The 1990 FETSIM project will retime and coordinate 17 intersections in the northwest area of Modesto. At the 17 intersections, traffic flow will be improved at the completion of this 1990 FETSIM Project. The source of funds for this project is Capital Facilities Fees. Resolution authorizing staff to proceed with request for proposals needed.)

ACTION: Res. 90-79 adopted approving request for proposals.
(P/W & T to handle)

CONSENT

23. Consider amendments to the Standard Specifications of the City of Modesto. (On January 16, 1990, the Planning Commission adopted Res. No. 90-6 recommending to the City Council amendments to the Standard Specifications of the City of Modesto. Memo with agenda. Resolution amending the Standard Specifications needed.)

ACTION: Res. 90-80 adopted amending the Standard Specifications.
(Planning to handle)

CONSENT

24. Consider directing the Department of Public Works and Transportation to proceed with parking consultant contract negotiations. (Memo with agenda. Motion directing staff to proceed needed. Estimated cost: \$50,000. Funds are budgeted.)

ACTION: By motion, staff directed to proceed. (P/W & T. to handle)

CONSENT

25. Consider acceptance of improvements in Park Valley Homes Phase I Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: R. J. Hill Company. (All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Park Valley Homes Phase I Subdivision is located on the north side of Whitmore Avenue west of Crows Landing Road. It contains 9.235 acres. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 90-81 adopted accepting improvements. (Clerk to handle)

CONSENT

26. Consider acceptance of improvements in Park Valley Homes Phase II Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: R. J. Hill Company.
(All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Park Valley Homes Phase II Subdivision is located on the north side of Whitmore Avenue west of Crows Landing Road. It contains 7.056 acres. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 90-82 adopted accepting improvements. (Clerk to handle)

CONSENT

27. Consider excusing Mayor Whiteside for being absent from the January 23, 1990, City Council meeting due to her attendance at the annual U. S. Conference of Mayors' conference.
(Motion excusing absence needed.)

ACTION: By motion, absence excused. (Clerk to handle)

CONSENT

28. Consider an ordinance amending the Modesto Municipal Code sections concerning construction, operations, and maintenance of water wells, as required by the California Water Code.
(Memo with agenda. Motion introducing an ordinance needed.)

ACTION: By motion, Ord. No. 2703-C.S. introduced.
Res. 90-83 adopted certifying that this is exempt from C.E.Q.A.
(Clerk to handle)

CONSENT

29. Consider approving an appropriation transfer to provide funding for a new Capital Improvement Project - Scenic Lift Station improvements.
(Memo with agenda. Improvements are needed at the Scenic Lift Station to help control odors. Funds are available in the Sewer Fund Reserve to proceed with the project now. Resolution approving appropriation transfer and establishing a new C.I.P. project. Estimated cost: \$154,000.)

ACTION: Res. 90-84 adopted approving appropriation transfer.
(Finance/P.W. & T. to handle)

CONSENT

30. Consider accepting a \$39,724 Urban Forestry Grant award from the State Department of Forestry and Fire Protection and authorizing the City Manager to sign the Project Agreement.
(Memo with agenda. The grant is to be used for planting street trees, as well as for education programs concerning street trees. Resolution accepting grant needed.)

ACTION: Res. 90-85 adopted accepting grant. (P/R to handle)

CONSENT

31. Consider approving an amendment to the agreement with Lila Huff for concessionaire services at the Modesto Municipal Golf Course. (Memo with agenda. Resolution approving amendment to the agreement needed.)

ACTION: Res. 90-86 adopted approving amended agreement.

(P/R to handle)

CONSENT

32. Consider approving a Citizen Participation Plan and funding priorities for the fiscal year 1990-91 Community Development Block Grant (CDBG) application. (Memo with agenda. HUD requires citizen participation for the CDBG application process. Resolution approving the 1990-91 CDBG Citizen Participation Plan and Funding Priorities needed.)

ACTION: Res. 90-87 adopted approving Plan and Funding Priorities.

(Planning to handle)

CONSENT

33. Consider authorizing the City Manager to execute a memorandum of understanding with the Modesto City School District for the purpose of jointly sponsoring the Comprehensive Alcohol Drug Prevention Education (CADPE) Program. (Memo with agenda. Resolution approving the memorandum of understanding needed.)

ACTION: Res. 90-88 adopted approving the Memorandum of Understanding.

(Police to handle)

CONSENT

34. Consider renewal of Centre Plaza property insurance with Kemper Insurance Company (broker is Hamilton/Meridian Insurance of San Jose) from February 5, 1990 to February 5, 1991. (Memo with agenda. Resolution approving renewal of insurance needed.)

ACTION: Res. 90-89 adopted approving renewal of insurance.

(Atty to handle)

CONSENT

35. Consider sale of excess land on Brighton Avenue to the Housing Authority of Stanislaus County. (Memo with agenda. Resolution authorizing City Manager and City Clerk to sign grant deed needed.)

ACTION: Res. 90-90 adopted approving grant deed.

(Atty to handle)

CONSENT

36. Consider authorizing the issuance of two Requests for Proposals for a hotel/motel and a restaurant at the Airport.
(Memo with agenda. Resolution authorizing the issuance of Requests for Proposals needed. Estimated cost: \$1,500. Funds are budgeted.)

ACTION: Res. 90-91 adopted authorizing the issuance of Request for Proposals for a hotel/motel.
Res. 90-92 adopted authorizing the issuance of Request for Proposals for a restaurant. (P/W & T. to handle)

CONSENT

37. Consider authorizing City Attorney to join the amicus curiae brief to be filed on behalf of the City of Walnut Creek.
(Memo with agenda. Motion authorizing joining amicus curiae brief needed.)

ACTION: By motion, City Attorney authorized to join the amicus curiae. (Atty to handle)

WRITTEN COMMUNICATIONS

38. Letter from William (Bud) Ferrell concerning the Building Inspection Division and permit fees.

ACTION: By motion (Lang/Irizarry, majority, Bird-no, Muratore and Patterson absent) staff report accepted.

CONSENT

39. Application from the Cambodian Community of Modesto for Direct City Assistance during their New Year celebration on April 22, 1990.
(Police Department Assistance is requested from 6:00 p.m. to midnight. Waiting for response from the Police Chief so we know how to handle this request on the agenda. The Chief of Police recommends approval of the request. Resolution approving request needed. Estimated cost: Less than \$100 of Police Reserve Officers time. Funds are budgeted.)

ACTION: Res. 90-93 adopted approving request. (Police to handle)

CONSENT

40. Letter from residents of Glendale Avenue between El Vista and Parry Avenues concerning the need for a street light in their area.
(Motion referring letter to staff needed.)

ACTION: By motion, letter referred to staff. (P/W & T. to handle)

CONSENT

41. Letter from Robert Clark, Chairman of the Modesto a la Carte Steering Committee, requesting assistance with this year's event, which is to be held downtown on June 16-17, 1990.
(Motion referring to staff for recommendation needed.)

ACTION: By motion, letter referred to staff. (P/R to handle)

MISCELLANEOUS

Legislation

CONSENT

42. Staff recommends support of::
- a. Retaining local control of residential fire safety building standards
 - b. Placement of AB 145 on the June 1990 ballot.
- (Memo with agenda. Motion accepting recommendations needed.)

ACTION: By motion, recommendations approved. (Manager to handle)

Appointments

CONSENT

43. Consider Human Relations Commission recommendation to appoint Quincy Hamilton to the Affirmative Action Commission.
(Memo with agenda. Resolution appointing Quincy Hamilton needed.)

ACTION: Res. 90-94 adopted appointing Quincy Hamilton. (Clerk to handle)

CONSENT

44. Consider appointment of Jesse Alexander as the Planning Commission representative to the Board of Zoning Adjustment.
(On January 16, 1990, the Commission adopted Resolution 90-8 recommending this appointment. Resolution appointing Jesse Alexander needed.)

ACTION: Res. 90-95 adopted appointing Jesse Alexander. (Clerk to handle)

45.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

This meeting adjourned at 6:27 p.m. to Monday, February 12, 1990, at 7:30 p.m., at Modesto Centre Plaza, 1000 L Street, for a study session concerning Village 1.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The City Council and the Planning Commission of the City of Modesto met in an adjourned regular session at 7:30 p.m., February 12, 1990, at Modesto Centre Plaza, 1000 L Street, Modesto, California, for a study session.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson, Mayor Whiteside

Absent: None

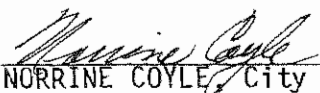
Present: Commissioners Alexander, Fisher, Gallagher, Smith, Chairperson Dunbar

Absent: Commissioner Grover

After the members of the City Council, Planning Commission and consulting team introduced themselves, the Director of Planning & Community Development reviewed the process that had been followed to arrive at the "Village" concept.

The consultants discussed the street patterns, community facilities, affordable housing and residential areas, and costs and financing of the plan for Village 1.

The meeting adjourned at 10:10 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 13, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: Councilmember Dobbs

Pledge of allegiance to the Flag

Invocation: Rev. Ross Briles, Sherwood Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 10, 11, 13, 14,
15, 16, 17

ACTION: Muratore/Lang, unan., Dobbs
absent

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.)

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Councilmembers Muratore and Patterson report on their trip to Sister City Vernon, British Columbia.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of February 6, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

4. Presentation of "Downtown: A Natural Place to Be. A Master Plan for Downtown Modesto."
(Dirk Hoek, Chairman of the Downtown Action Committee (DAC) will present a 20-minute slide show that concludes with four recommendations:
1. Hire an architectural/planning consultant to develop Design Review Guidelines for downtown.
 2. Once the guidelines are developed, crease a Design Review Board.
 3. The same consultant to develop preliminary designs and cost estimates for amenities downtown plus financing plan.
 4. Continue the DAC as the advisory body to the City Council to assist in consultant selection and work with the consultant and staff.

Memo and report with agenda. Motion acknowledging receipt of report, directing staff to budget consultant services for 1990-91, and commence the Request for Quotations/Request for Proposals process using the master plan as a basis, and agreeing that the DAC continue to work with the staff and consultant needed.)

ACTION: By motion (Lang/Irizarry, unan., Dobbs absent) report accepted, and is to be discussed during the Council retreat and returned to a Council agenda in four to six weeks. (Manager to handle)

5. Consider report regarding permanent street closures of side streets off of lower McHenry Avenue.
(Memo with agenda. Area residents had asked that streets be closed permanently to reduce spillover of McHenry traffic into adjacent neighborhoods. Motion directing staff needed.)

ACTION: By motion (Patterson/Bird, unan., Dobbs absent), receipt of the report was acknowledged.

CONSENT

6. Final adoption of the following:

- a. Ord. No. 2702-C.S. amending the Zoning Map to rezone from R-2 to C-1 property located on the east side of Ardmore Avenue north of West Orangeburg Avenue (John C. Waterbury)
- b. Ord. No. 2703-C.S. amending the Modesto Municipal Code relating to construction, operations, and maintenance of water wells.

(Motion adopting needed.)

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

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for the McHenry Mansion Restoration Phase III, installation of electrical and HVAC systems.
(Suggested bid opening: March 8, 1990, at 11:05 a.m. This project is one more phase of the McHenry Mansion Restoration and will provide for the installation of the electrical and HVAC systems. Memo with agenda. Estimated cost: \$155,000 (contract - \$141,000; eng. & cont. - \$14,000). Funds are budgeted.)

ACTION: Res. 90-96 adopted approving plans and specifications and calling for bids. Finance to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the construction of Pump Station No. 48.
(Suggested bid opening: March 8, 1990, at 11:00 a.m. This project will provide a pump and motor controls for Pump Station No. 48 located on MID Lateral No. 6 approximately 600 feet west of McHenry Avenue. Memo with agenda. Estimated cost: \$106,800 (contract - \$89,000; eng. & cont. - \$17,800). Funds are budgeted.)

ACTION: Res. 90-97 adopted approving plans and specifications and calling for bids. (Public Works & Transportation to handle)

CONSENT

9. Consider acceptance of the contract of Ragsdale & Son, Inc., for the Police Department parking lot paving at 10th and F Streets. Original contract: \$23,407.
(Memo with agenda. All work on this project has been completed to the satisfaction of the Public Works & Transportation Department and the Police Department. It is, therefore, recommended that the project be accepted as complete and the Notice of Completion filed. Resolution accepting project as complete needed. Total cost: \$25,168.90. Funds are budgeted.)

ACTION: Res. 90-98 adopted accepting the contract. (Clerk to handle)

CONSENT

10. Consider acceptance of the contract of Granite Construction for the construction of Airport taxiways, blast pad and apron. Original contract: \$332,199.50.
(Memo with agenda. All work on this project has been completed to the satisfaction of the Public Works & Transportation Department. It is, therefore, recommended that the project be accepted as complete and the Notice of Completion filed. Resolution accepting project as complete needed. Total cost: \$391,087.05. Funds are budgeted.)

ACTION: Res. 90-99 adopted accepting contract. (Clerk to handle)

CONSENT

11. Consider acceptance of the contract of George Reed, Inc., for the construction of Mildred Perkins Park. Original contract: \$268,888.
(Memo with agenda. All work on this project has been completed to the satisfaction of the Public Works & Transportation Department and Parks Department. It is, therefore, recommended that the project be accepted as complete and the Notice of Completion filed. Resolution accepting project as complete needed. Total cost: \$272,186.15. Funds are budgeted.)

ACTION: Res. 90-100 adopted accepting contract. (Clerk to handle)

NEW BUSINESS

12. Urban Growth Policy review for 1989.
(The Public Projects Committee has reviewed the report and has five recommendations. Memo with agenda. Five motions approving recommendations needed.)

ACTION: By motion (Patterson/Lang, unan., Dobbs absent) the first four recommendations were accepted, with the recommendation concerning the Fairview Neighborhood continued to February 20, 1990.
(Clerk to handle)

CONSENT

13. Consider setting hearing to consider approval of Report of Superintendent of Streets on the costs of residential alley resurfacing project No. 15. (The following information reflects 100% of the contract costs, including engineering and staff time as well as all aspects of resurfacing the alleys from clearing to raising water valve boxes. Individual invoices and cost reports will be distributed prior to the hearing. Resolution setting hearing on March 13, 1990, at 7:30 p.m. needed.)

BLOCK 825

PURDUE - FORDHAM AVENUE/NOTRE DAME AVENUE - TULLY ROAD

Ruggieri, Francis R., et ux	1204 Purdue Avenue	\$733.48
Baba, Alexander, Jr.	1214 Purdue Avenue	675.47
Lyons, William T.	1220 Purdue Avenue	675.47
Yarick, Bart C., et al	1226 Purdue Avenue	641.16
Perry, Donald L. et ux	1230 Purdue Avenue	650.35
Cuellar, Joe, et ux	1234 Purdue Avenue	630.44
Taylor, Daniel J., et ux	1238 Purdue Avenue	630.44
Patch, Robert E., et ux	920 Tully Road	635.58
Hinchey, Donald A., et ux	916 Tully Road	679.35
Ponte, John R., et ux	1239 Fordham Avenue	630.44
Prigge, Steve W., et ux	1235 Fordham Avenue	630.44
Lay, Steven G., et ux	1231 Fordham Avenue	605.14
Snyder, Wayne M.	1227 Fordham Avenue	704.66
Mann, David M., et ux	1221 Fordham Avenue	675.47
Stutzin, Leo	1215 Fordham Avenue	675.47
Azevedo, Henry V. Jr., et ux	1205 Fordham Avenue	671.51

BLOCK 6146

SILKWOOD DRIVE - LINWOOD DRIVE/FERNWOOD DRIVE - GLENWOOD DRIVE

Glass, James A., et ux	1503 Glenwood Drive	\$ 245.14
Ullman, Gertrude Z.	1502 Goldenwood drive	1,196.19
Greydanus, Peter, et ux	1506 Silkwood Drive	774.28
Peralta, Stella	1510 Silkwood Drive	702.76
Ridgeway, Florence M.	1602 Silkwood Drive	702.76
Piscitello, Nick R., et ux	1606 Silkwood Drive	702.76
Muyres, Hubert M., et ux	1610 Silkwood Drive	702.76
Sanders, John S., et ux	1614 Silkwood Drive	702.76
Setaro, Leonard, et ux	1618 Silkwood Drive	702.76
Wong, Moon G., et ux	1622 Silkwood Drive	702.76
Jeppson, Gerald B., et ux	1626 Silkwood Drive	702.76
Gada, Raymond S. III	1702 Silkwood Drive	702.76
Carano, Rose, et al	1706 Silkwood Drive	702.76
Jackson, Merri E.	1710 Silkwood Drive	702.76
Turrentine, Carol R., et ux	1714 Silkwood Drive	630.62
Tidwell, Regina K. D.	1500 Fernwood Drive	1,115.07
Larson, Daniel R., et ux	1705 Linwood Drive	999.05
Baker, John S. Jr., et al	1701 Linwood Drive	729.68
Clevenger, Kenneth L., et ux	1629 Linwood Drive	729.68
Pucci, Jacqueline M.	1625 Linwood Drive	999.05
Wagner, Julia A.	1621 Linwood Drive	999.05
Higbee, De Wayne A.	1617 Linwood Drive	684.82
WPCC118	5	2-13-90

Stamos, Jimmy N. et ux	1613 Linwood Drive	684.82
Heller, Melvin W. Jr., et ux	1609 Linwood Drive	937.41
Stuit, Raymond E., et ux	1605 Linwood Drive	937.11
Louis, Douglas M.	1601 Linwood Drive	739.10
Freitas, Roberta	1513 Linwood Drive	720.71
Colombo, Angelo, et ux	1509 Linwood Drive	666.87
Dahlgren, John W. et ux	1505 Linwood Drive	693.79
Banner, Eugene H. Trust	1501 Linwood Drive	684.82

BLOCK 6729

MONTE CARLO AVENUE - MONTE VERDE AVENUE/MOUNT VERNON DRIVE - BOWEN AVENUE

Hughes, Donald W., et ux	1124 Mount Vernon Drive	\$976.26
Coelho, Alvin J., et ux	2322 Monte Verde Avenue	896.45
Kaufmann, Opal M.	2314 Monte Verde Avenue	663.64
Allen, Donald C. et ux	2310 Monte Verde Avenue	663.64
Lea, Ugo P.	2306 Monte Verde Avenue	663.64
Imbesi, Frank S., et al	2302 Monte Verde Avenue	663.64
Shiyomura, George T. et ux	2218 Monte Verde Avenue	663.64
Metzler, Ruth E.	2214 Monte Verde Avenue	663.64
James, Robert F., et ux	2210 Monte Verde Avenue	672.58
Warner, Jack R., et ux	2206 Monte Verde Avenue	672.58
Mott, John	2202 Monte Verde Avenue	732.55
Carlson, Isabelle	2201 Monte Carlo Avenue	687.06
Brawley, Wayne, et ux	2205 Monte Carlo Avenue	672.58
Windemuth, Richard	2209 Monte Carlo Avenue	672.58
Gardner, Kenneth L.	2213 Monte Carlo Avenue	663.64
Silva, William C.	2217 Monte Carlo Avenue	663.64
Tomao, Salvatore, et ux	2301 Monte Carlo Avenue	663.64
Davis, Edwin V., et ux	2305 Monte Carlo Avenue	663.64
Burrows, Leroy, et ux	2309 Monte Carlo Avenue	663.64
Inskeep, Hugh V., et ux	2313 Monte Carlo Avenue	663.64
Woodruff, Dennis M.	2317 Monte Carlo Avenue	896.45
Crow, Keith T., et ux	1116 Mount Vernon Drive	995.48

BLOCK 6821

NORTHWOOD DRIVE - BOWEN AVENUE/SHERWOOD AVENUE - FREMONT AVENUE

Horgan, Maurice R., et ux	710 Northwood Drive	\$837.64
Occhipinti, Lena A.	706 Northwood Drive	708.41
Alleman, Richard C.	702 Northwood Drive	714.19
Wilson, John A., et ux	606 Northwood Drive	701.03
Suggs, Thomas J., et ux	602 Northwood Drive	732.43
Berchem, Julius W., et ux Tr.	514 Northwood Drive	696.67
Meanza, Angelo, et ux Family Trust	510 Northwood Drive	757.15
Darpanian, Barbara D.	506 Northwood Drive	791.93
Dimond, Brower A., et ux	502 Northwood Drive	878.38
Richards, Robert N., et ux	410 Northwood Drive	878.11
Harding, James D., et ux	406 Northwood Drive	814.34
Vickrey, F. W., et ux	402 Northwood Drive	843.60
Kaiser, Erwin L., et ux	2201 Sherwood Avenue	729.58
Blaine, Gordon B., et ux	405 Bowen Avenue	800.47
Booth, Catherine T.	409 Bowen Avenue	800.47
WPCC118	6	2-13-90

Johnson, Calvin P. et ux	501 Bowen Avenue	840.31
Costa, Norma L.	505 Bowen Avenue	818.52
Canty, Howard W., et ux	509 Bowen Avenue	782.95
Swigart, Russell D., et ux	513 Bowen Avenue	774.05
Struck, James D., et ux	601 Bowen Avenue	756.26
Figueiredo, Anthony J.	605 Bowen Avenue	756.35
Kalunian, Arthur, et ux	701 Bowen Avenue	756.44
Ward, Mary L.	705 Bowen Avenue	756.44
Craft, Charles D., et ux	2202 Fremont Avenue	826.17

BLOCK 6822

KIRKWOOD AVENUE - MCHENRY AVENUE/NORTHGATE AVENUE - BOWEN AVENUE

Sandelman, Sanford Tr.	2205 McHenry Avenue	\$1,708.08
PNW, Inc.	2401 McHenry Avenue	1,981.06
Sciabica, Vincent J., et ux	216 Northgate Drive	881.52
Hill, Jerry W., et ux	2306 Kirkwood Avenue	883.82
Martone, Alberta	2302 Kirkwood Avenue	839.58
Smith, G. Dale, et ux	302 Northwood Drive	1,281.92
Pierre, Hazel L.	306 Northwood Drive	917.89
Dolan, Gary M. et ux	310 Northwood Drive	843.12
Forbes, Raymond P., et ux	314 Northwood Drive	839.67
Domitrovich, Thomas L., et ux	318 Northwood Drive	702.69
Soderstrom, Elizabeth T., et ux	322 Northwood Drive	825.60
Lingle, Dorothy A.	326 Northwood Drive	842.59
Fuery, John J., et ux	330 Northwood Drive	855.95
Hansen, Edward W., et ux	2202 Sherwood Avenue	991.42
Powers, Larry L. et ux	321 Bowen Avenue	786.49
Brown, Charles J., et ux	317 Bowen Avenue	786.49
Erickson, Eleanor	313 Bowen Avenue	786.49
Smith, Joseph C., et ux	309 Bowen Avenue	786.49
Luond, Albert C., et ux	305 Bowen Avenue	786.49
Voskes, Peter M., et ux	301 Bowen Avenue	786.49
Edwards, George W., et ux	221 Bowen Avenue	786.49
Funnell, John H.	217 Bowen Avenue	807.72

BLOCK 6139

COLLEGE AVENUE - CONCORD AVENUE/GRANGER AVENUE - WOODMAN WAY

Hughes, Robert D., et ux	1713 College Avenue	\$ 548.44
Larsen, Robert L., et ux	1707 College Avenue	635.50
Chatfield, Milton, et ux	1705 College Avenue	635.50
Mathies, Fred T., et ux	1701 College Avenue	635.50
Grogan, William B., et ux	1629 College Avenue	635.50
Grogan, Paul S., et ux	1625 College Avenue	635.50
Vaille, David A.	1617 College Avenue	317.48
Bryant, Kenneth S., et ux	1615 College Avenue	453.93
Grogan, Mary	1611 College Avenue	635.50
Prom, Sim, et ux	1115 Granger Avenue	1,588.76
Meyer, Ellen M.	1600 Concord Avenue	544.72
Achterberg, Jennie J.	1604 Concord Avenue	544.72
Cantrell, Jimmie L., et ux	1608 Concord Avenue	544.72
Ridenour, Levert, et ux	1612 Concord Avenue	544.72
McSparin, Sharon A.	1616 Concord Avenue	544.72
WPCC118	7	2-13-90

Groves, Virgil	1620 Concord Avenue	544.72
Quinonez, Adan, et ux	1624 Concord Avenue	544.72
O'Conner, Donald K.	1628 Concord Avenue	544.72
Caudle, Alta P.	1700 Concord Avenue	544.72
Villers, David B., et ux	1704 Concord Avenue	544.72
Kovolyak, John, et ux	1708 Concord Avenue	544.72
Birgel, Ronald L., et ux	1712 Concord Avenue	723.93

BLOCK 5304

HILLVIEW DRIVE - FAIROAKS DRIVE/CLOVER LANE - BLUEGRASS LANE

Silva, Phillip, et ux	1210 Hillview Drive	\$996.32
Best, Charles J. Jr., et ux	206 Clover Lane	916.52
Cummins, Dennis, et ux	202 Clover Lane	916.52
Shirley, Jarrett F., et ux	106 Clover Lane	916.52
Simmons, Timothy J., et ux	1211 Fair Oaks Drive	916.52
Bean, Leaman, et ux	1207 Fair Oaks Drive	938.67
Ott, Clements Jr., et ux	105 Bluegrass Lane	938.76
Ott, Clements Jr., et ux	201 Bluegrass Lane	938.76
Brown, Christine I.	205 Bluegrass Lane	938.76
McKeever, Charles E., et ux	209 Bluegrass Lane	938.67

BLOCK 12952

WINDSOR LANE - SHEFFIELD LANE/SUNRISE AVENUE - RUMBLE ROAD

Wilbur, Norman, et ux	900 Rumble Road	\$ 544.18
Leeman, Constance A.	2912 Windsor Lane	643.58
Pollard, Daniel A., et ux	2908 Windsor Lane	643.58
Fleshman, Edgar w.	2904 Windsor Lane	643.58
Setzer, Keith P., et ux	2900 Windsor Lane	643.58
Morelini, Wayne C., et ux	2816 Windsor Lane	1,184.88
Parkhurst, Ilona M.	2705 Sheffield Lane	468.44
Suzuki, Emmie	2801 Sheffield Lane	789.46
Kellogg, Elmo F., et ux	2805 Sheffield Lane	789.46
Neder, Ronald A., et ux	2809 Sheffield Lane	789.46
Parsons, Joseph J., et ux	2901 Sheffield Lane	789.46
Davis, Walter A. Jr., et ux	2905 Sheffield Lane	777.10

BLOCK 804-A

YALE AVENUE - COLDWELL AVENUE/COLLEGE AVENUE - TULLY ROAD

Rolefson, Walter J., et ux	1120 Yale Avenue	\$1,313.94
Rorick, Kurt W., et ux	1118 Yale Avenue	1,133.97
Walker, David B., et ux	1112 Yale Avenue	1,079.97
Begen, Gerard J., et ux	717 College Avenue	1,282.38

ACTION: Res. 90-101 adopted setting hearing March 13, 1990, at 7:30 p.m.
(Clerk to handle)

CONSENT

14. Consider introduction of an ordinance revising the Modesto Municipal Code relating to water waste.
(Memo with agenda. Motion introducing an ordinance needed.)

ACTION: By motion, Ordinance No. 2704-C.S. introduced. (Clerk to handle)

CONSENT

15. Consider approval of the final map of Scenic Estates Subdivision of the City of Modesto and authorize an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code.
Subdivider: Douglas Highiet
(The subdivision agreement has been signed and all fees paid. Scenic Estates is located north of Scenic Drive and east of Sunnyside Avenue. It contains 2.947 acres. Resolution approving the final map needed.)

ACTION: Res. 90-102 adopted approving final map. (Clerk to handle)

CONSENT

16. Consider setting a Hearing of Necessity for Eminent Domain Proceedings to acquire real property for Public Facilities District No. 6, widening major streets: Coffee, Oakdale and Prescott Road.
(Recommended hearing date: March 13, 1990, at 7:30 p.m. Eminent Domain proceedings must be started now to keep this project on schedule. Memo with agenda. Resolution setting hearing of Necessity needed. Estimated cost: \$63,667. Funds are budgeted.)

ACTION: Res. 90-103 adopted setting hearing on March 13, 1990, at 7:30 p.m.
(Clerk to handle)

CONSENT

17. Consider request for refund of \$6,070.48 for overpayment of Business License Tax by Stanislaus County DHIA.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-104 adopted approving refund. (Finance to handle)

CONSENT

18. Consider request for refund of \$28,678.78 for overpayment of Business License Tax by Gould Medical Group, Inc.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-105 adopted approving refund. (Finance to handle)

CONSENT

19. Presentation of monthly Treasurer's Report for January, 1990.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

Appointments

20. Consider appointments to the Modesto Fights Back Steering Committee.

ACTION: Res. 90-106 adopted (Muratore/Irizarry, unan., Dobbs absent) appointing Fontesa Ratliffe, Peter Pen and Mike Garcia. (Clerk to handle)

21. Consider reappointments to the following:

1. Affirmative Action Commission

ACTION: Res. 90-107 adopted (Muratore/Irizarry, unan., Dobbs absent) reappointing Michelle Aiken, Dorothy Falco, Mary Ann Greenwood, Pearl Hough, and Janie Tomlin.

2. Downtown Improvement District Advisory Board

No action taken

3. International Friendship Committee

ACTION: Res. 90-108 adopted (Muratore/Irizarry, unan., Dobbs absent) reappointing John Bree and John B. Mensinger.

4. Landmark Preservation Commission

ACTION: Res. 90-109 adopted (Muratore/Irizarry, unan., Dobbs absent) reappointing Dennis Smith.

(Clerk to handle)

22. Consider appointments to the following:

1. Airport Advisory Committee

ACTION: Res. 90-110 adopted (Muratore/Irizarry, unan., Dobbs absent) appointing Victor Hollingshead.

2. Downtown Improvement District Advisory Board

ACTION: Res. 90-111 adopted appointing Terri Amerio-Bell.

3. Tuolumne River Regional Park Citizens Committee

ACTION: Res. 90-112 adopted (Muratore/Irizarry, unan., Dobbs absent)
appointing Calvin Moorad, Beverly Kilpatrick and Ray Nish.

4. Local Cable Programming Committee

ACTION: Res. 90-113 adopted (Muratore/Irizarry, unan., Dobbs absent)
appointing Richard Alter, Don Frascinella, George Pettygrove.
(Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

23. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

Meeting adjourned at 10:35 p.m. to Tuesday, February 20, at 2:00 p.m. in the City Hall third floor conference room, for a study session on the City's financial status.

ATTEST: Norrine Coyle
NORRINE COYLE City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned session at 2:00 p.m., February 20, 1990, in the Third Floor Conference Room, City Hall, Modesto, California, for a study session.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson, Mayor Whiteside

Absent: None

The Director of Finance presented an in-depth report on the financial status of the City of Modesto including predictions based on various economic information.

The meeting adjourned at 3:53 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 20, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Mark A. Lambert, American Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 8, 9, 10, 11, 12,
13, 14, 15, 16, 17, 18, 19, 20,
23, 24, 25

ACTION: (Bird/Patterson, unan.)

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 21, 22
(COUNCILMEMBER BIRD EXCUSED DUE TO A CONFLICT OF INTEREST)

ACTION: (Patterson/Muratore, unan., Bird absent)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.)

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of February 12, 1990, and the regular City Council meeting of February 13, 1990. (Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

4. Further consideration of the Urban Growth Policy concerning the Fairview Neighborhood. (Continued from the February 13, 1990, City Council meeting.)

ACTION: By motion (Irizarry/Muratore, unan.) the Fairview Neighborhood is to be reviewed by the Public Projects Committee to determine whether it could be given a higher priority. (Planning to handle)

CONSENT

5. Final adoption of Ordinance No. 2704-C.S. amending the Modesto Municipal Code relating to water rates, rules and regulations. (Motion adopting needed.)

ACTION: By motion, Ordinance No. 2704-C.S. adopted. (Clerk to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for Airport exit taxiway No. 2 drainage, Runway 28R-10L distance remaining signs and pourous friction course. (Suggested bid opening: March 22, 1990, at 11:00 a.m. This project is part of our ongoing Capital Improvement Program. Memo with agenda. Resolutions approving plans and specifications and call for bids needed. Estimated cost: \$380,545 (City - \$38,054; FAA grant - \$342,491) Funds are budgeted.

ACTION: Res. 90-114 adopted calling for bids.
Res. 90-115 adopted certifying review of Environmental Assessment. (P/W to handle)

CONSENT

7. Consider declaring Brannon Tire Co. low bidder on and authorize the purchase of annual tire recapping and service requirements for the total price of \$22,699.
(Memo with agenda. Resolution authorizing purchase needed.)

ACTION: Res. 90-116 adopted awarding bid. (Finance to handle)

CONSENT

8. Consider declaring Modesto Ford Tractor, Inc., low bidder on and authorize the purchase of three new vibratory compactor plates for the total price of \$3,783.56
(Memo with agenda. Resolution authorizing purchase needed.)

ACTION: Res. 90-117 adopted awarding bid. (Finance to handle)

CONSENT

9. Consider declaring U. S. Elevator low bidder on and authorize the purchase of elevator maintenance service for the total cost of \$23,940.
(Memo with agenda. Resolution authorizing purchase needed.)

ACTION: Res. 90-118 adopted awarding bid. (Finance to handle)

CONSENT

10. Consider declaring Monroe Systems for Business and Capital Office Systems low bidders on copy machines and authorize the City Manager to sign 12-month lease-to-purchase agreements with each firm for the total cost of \$14,270.
(Memo with agenda. Two resolutions authorizing lease-to-purchase needed.)

ACTION: Res. 90-119 adopted approving lease-purchase agreement with Monroe Systems.
Res. 90-120 adopted approving lease-purchase agreement with Capital Office Systems. (Finance to handle)

CONSENT

11. Consider declaring Pure Gro Company low bidder on and authorize the purchase of dry chemical fertilizer for the total cost of \$20,974.
(Memo with agenda. Resolution authorizing purchase needed.)

ACTION: Res. 90-121 adopted awarding bid. (Finance to handle)

CONSENT

12. Consider acceptance of Joe Martin Pipeline, Inc.'s contract for the Rouse, Creekwood, Glenn, Semallon & Claus Road waterline extension. Original contract: \$111,037.50.
(All work on this project has been completed to the satisfaction of the Public Works & Transportation Department. It is, therefore, recommended that the project be accepted as complete and the Notice of Completion filed. Memo with agenda. Resolution accepting project as complete needed. Total cost: \$108,156.20. Funds are budgeted.)

ACTION: Res. 90-122 adopted accepting as complete. (Clerk to handle)

NEW BUSINESS

CONSENT

13. Consider authorizing the Director of Planning and Community Development to sign lot line adjustment agreements on behalf of the City of Modesto. (It is necessary to designate a City representative to sign lot line adjustment agreements. Since lot line adjustments are reviewed and approved by the Planning and Community Development Department, it is most appropriate to designate the Director of Planning & Community Development as the authorized representative. Resolution authorizing needed.)

ACTION: Res. 90-123 adopted authorizing Director of Planning and Community Development to sign lot line adjustment agreements.
(Planning to handle)

CONSENT

14. Consider setting a hearing to be held on March 20, 1990, at 4:00 p.m. to confirm expenses incurred for demolition of a building located at 303-305 Washington Street.
(Memo with agenda. Resolution setting hearing needed.)

ACTION: Res. 90-124 adopted setting hearing. (Clerk to handle)

CONSENT

15. Consider setting a hearing to be held on March 20, 1990, at 4:00 p.m. to confirm expenses incurred for demolition of a building located at 408 East Coolidge Avenue.
(Memo with agenda. Resolution setting hearing needed.)

ACTION: Res. 90-125 adopted setting hearing. (Clerk to handle)

CONSENT

16. Consider setting hearing concerning the Report of Superintendent of Streets on the costs of residential alley resurfacing in Block 6042, Project No. 15.
(The dollar amounts on the following list reflect two-thirds of the contract costs. The Council, at its September 5, 1989, hearing, approved a one-third City sharing due to special circumstances presented at the August 22, 1989, hearing. The costs include engineering and staff time

as well as all aspects of resurfacing the alleys from clearing to raising water valve boxes. Individual invoices and cost reports will be distributed prior to the hearing. Resolution setting hearing April 10, 1990, at 7:30 p.m. needed.)

BLOCK 6042
ORANGEBURG AVENUE - OAKWOOD DRIVE/DEL VALE AVENUE - CARVER ROAD

Yohannan, Ike W., et ux	1329 Del Vale Avenue	\$398.45
Franklin, Steven E.	1606 Orangeburg Avenue	389.11
Ayers, Kenneth L.	1610 Orangeburg Avenue	389.11
De Lor, Jean L. S.	1614 Orangeburg Avenue	389.11
Cambra, Mabel, et al	1618 Orangeburg Avenue	389.11
Neumann, Arthur, et ux	1622 Orangeburg Avenue	389.11
Panella, Bernard R.	1626 Orangeburg Avenue	389.11
Walker, Edwin J. et ux	1630 Orangeburg Avenue	389.11
Loretelli, Roy A.	1634 Orangeburg Avenue	389.11
Haverland, Barbara	1638 Orangeburg Avenue	389.11
Wong, Deck H., et ux	1334 Carver Road	382.34
Schorr, Michael S., et ux	1330 Carver Road	568.82
Smith, Walter C., et ux	1633 Oakwood Drive	267.65
McGinnis William J., et ux	1629 Oakwood Drive	603.78
McGrew, James D., et ux	1625 Oakwood Drive	395.09
Strong, Edith, S. et ux	1621 Oakwood Drive	389.11
LaBrake, Phyllis	1617 Oakwood Drive	389.11
Harper, Donald J., et ux	1613 Oakwood Drive	389.11
Heller, Clifford Frank, et ux	1609 Oakwood Drive	389.11
Gaertner, George W., et ux	1605 Oakwood Drive	389.11
Abraham, Wilson, et ux	1325 Del Vale Avenue	382.28

ACTION: Res. 90-126 adopted setting hearing. (Clerk to handle)

CONSENT

17. Consider declaring as surplus to City needs, and authorize the Purchasing Officer to sell on the open market 1,504 cubic feet of plastic media and a five volume series of law books.
 (The items are no longer needed by the City. The plastic media deteriorates over time; the law books are expensive to update and are not used frequently enough to justify keeping them. Disposal by sale of these items now before further loss of value occurs would be appropriate. Memo with agenda. Resolution declaring items as surplus and authorizing Purchasing Officer to sell them needed.)

ACTION: Res. 90-127 adopted declaring items surplus & authorizing sale.
 (Finance to handle)

CONSENT

18. Consider setting public hearing for proposed amendment to the General Plan map to include Johansen High School and John C. Sutton Community Park in the Empire West Neighborhood.
(On February 5, 1990, the Planning Commission adopted Resolution No. 90-13 recommending to the City Council an amendment to the General Plan Map to include Johansen High School and John C. Sutton Community Park in the Empire West Neighborhood. Staff recommends that the hearing be set for March 13, 1990. Resolution setting hearing needed.)

ACTION: Res. 90-128 adopted setting hearing. (Clerk to handle)

CONSENT

19. Consider approval of the final map of Rosemore Gardens Subdivision of the City of Modesto and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code. Owners: Frank and Louise Burnett and Dennis and Janet Constable
(The subdivision agreement has been signed and all fees paid. Rosemore Gardens is located on the east side of Rosemore Avenue north of Kansas Avenue. It contains 1.651 acres. Resolution approving the final map needed.)

ACTION: Res. 90-129 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider approval of the final map of Drake Professional Park Condominiums Subdivision of the City of Modesto and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code. Owners: Sylvan Drake Associates
(The subdivision agreement has been signed and all fees paid. Drake Professional Park Condominiums is located on the north side of Sylvan Avenue west of Rexford Drive. It contains 1.46 acres. Resolution approving the final map needed.)

ACTION: Res. 90-130 adopted approving final map. (Clerk to handle)

CONSENT -(Councilmember Bird excused due to a conflict of interest.)

21. Consider approving an agreement between the City and the M.I.D. to allow access to properties owned by both agencies in connection with construction of Dry Creek golf course.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-131 adopted approving agreement. (Attorney to handle)

CONSENT - (Councilmember Bird excused due to a conflict of interest.)

22. Consider approving agreements with Joe Sciabica, et al, and Tony Capobianco, et al, in connection with undergrounding M.I.D. Lateral No. 2 necessary in connection with construction of Dry Creek golf course. Memo with agenda. Two resolutions approving agreements needed. Estimated cost: \$67,123. Funds are budgeted.)

ACTION: Res. 90-132 adopted approving agreement with Joe Sciabica, et al.
Res. 90-133 adopted approving agreement with Tony Capobianco, et al.
(Attorney to handle)

CONSENT

23. Consider authorizing the City Manager and City Clerk to execute an easement deed from the M.I.D. for a water line to serve a new well near McHenry Avenue. (Memo with agenda. Resolution authorizing City Manager and City Clerk to execute grant of easement from M.I.D. needed.)

ACTION: Res. 90-134 adopted approving execution of easement deed.
(Attorney to handle)

CONSENT

24. Consider endorsing the "Access to Justice" Forum to be held on March 7, 1990. (Memo with agenda. Resolution endorsing "Access to Justice" Forum needed.)

ACTION: Res. 90-135 adopted endorsing "Access to Justice" Forum.
(Manager to handle)

CONSENT

25. Consider renewal of the Airport Liability Insurance for March 1, 1990, to March 1, 1991, with AIG/Iris, Ltd. (Memo with agenda. Resolution approving renewal of Airport Liability Insurance needed. Estimated cost: \$9,500. Funds are budgeted.)

ACTION: Res. 90-136 adopted approving renewal of insurance.
(Attorney to handle)

WRITTEN COMMUNICATIONS

CONSENT

26. Letter from Douglas A. Mathes resigning from the Economic Development Loan Pool Subcommittee. (Resolution accepting resignation with regret needed.)

ACTION: Res. 90-137 adopted accepting resignation. (Clerk to handle)

26A Letter addressed to Mayor Whiteside from Supervisor Blom regarding City-County capital facilities fees cooperation agreement.
(Motion directing staff needed.)

ACTION: By motion (Muratore/Lang, unan.) the commitment to work with the other cities on the cooperative agreement was reaffirmed.
(Manager to handle)

MATTERS TOO LATE FOR THE AGENDA

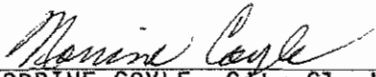
27. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

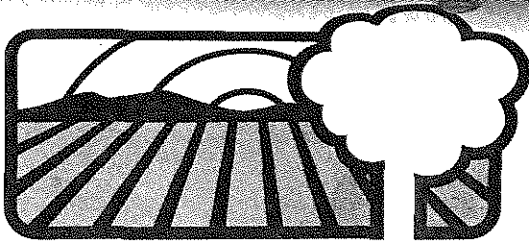
ADJOURNMENT

The meeting adjourned at 5:35 p.m.

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 27, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Allen Peters, Central Valley Christian Fellowship

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 12, 13, 14, 15, 16, 17, 18,
19, 21, 23, 24, 25, 26, 27, 30

ACTION: (Muratore/Lang, unan.)

(Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.)

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Whiteside introduced members of Scout Troop No. 113.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular and regular City Council meetings of February 20, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

4. Consider City/county Joint Transportation Committee recommendations on transit.
(Memo with agenda. Recommendations include extending weekday evening service by 1/2 to 1 hour on several bus routes, starting weekday service 1/2 hour earlier on Route 2, painting a new color scheme on IT buses beginning in 1991, and soliciting proposals for a new advertising agency contract. Motion approving the four recommendations needed. Estimated cost: \$48,700 per year for extending bus service; \$5,600 for changing color scheme amortized over 7 years; and \$45,000 for the ad agency contract. Funds are budgeted.)

ACTION: By motion (Patterson/Irizarry, unan.) recommendations 1, 2 and 4 approved.
By motion (Muratore/Irizarry, majority, Whiteside-no) recommendation No. 3 approved. (P/W to handle)

5. Consider staff report on assistive listening devices.
(Memo with agenda. Motion acknowledging receipt of report and accepting staff recommendations needed.)

ACTION: By motion (Lang/Bird, unan.) this item was dropped from the agenda.

6. Consider staff report regarding out-call massage.
(Memo with agenda. Motion acknowledging receipt of report and approving staff recommendations needed.)

ACTION: No action taken.

7. Presentation of an "Issues and Options" paper concerning Urban Growth. (At the February 13, 1990, City Council meeting, Councilmember Patterson requested this report. Motion acknowledging receipt of report needed.)

ACTION: By motion (Muratore/Lang, unan.) receipt of report acknowledged.

9. Consider wording and timing for a sewer trunk extension advisory vote on Village 1.
(March 6, 1990, is the last Council meeting for Council consideration of the wording of a sewer trunk extension advisory measure for the June 5, 1990 primary election. The Council may also choose to place the matter on the November 6, 1990, general election. Motion approving wording and resolution calling for a City of Modesto special election and requesting the County Board to consolidate it with the June 5, 1990, primary election; or motion of intention to place the measure on the November 6, 1990, general election needed.)

ACTION: By motion (Patterson/Lang, majority, Muratore-no) the Council decided to delay the measure until the November 6, 1990, election.
(Planning/Clerk to handle)

HEARINGS

10. Hearing to consider determining that public convenience and necessity to require construction of the improvements for Public Facilities District No. 6, the widening of major streets - Coffee, Oakdale and Prescott Roads, and hearing to consider protests to the above-mentioned Public Facilities District.

ACTION: Res. 90-138 adopted (Lang/Irizarry, unan.) finding and determining that public convenience and necessity require the construction of the improvements.
Res. 90-139 adopted (same vote) approving amended Engineer's report and assessment and ordering improvements.
Res. 90-140 adopted (same vote) overruling protests.
(P/W - Finance to handle)

11. Hearing to consider revisions to golf rates.

ACTION: Res. 90-141 adopted (Muratore/Irizarry, unan.) revising golf fees.

BIDS

CONSENT

12. Consider approving specifications and authorizing call for bids to be opened March 26, 1990, at 11:05 a.m., for furnishing lighting and sound services at the Centre Plaza.
(Requested by the Parks and Recreation Department, the lighting and sound services are for performances and other events held at the Centre Plaza. Resolution approving specifications and calling for bids needed. Estimated cost: \$35,000. Funds are budgeted.)

ACTION: Res. 90-142 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider approving plans and specifications and authorizing call for bids to be opened March 22, 1990, at 11:05 a.m., for construction of pump station No. 51.
(This project will provide for the installation of the pump at Well No. 51 on Dale Road to increase the reliability of the City water supply by providing an additional source of water. Memo with agenda. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$136,800 (contract - \$114,000; eng. - \$22,800). Funds are budgeted.)

ACTION: Res. 90-143 adopted calling for bids. (P/W to handle)

CONSENT

14. Consider approving plans and specifications and authorizing call for bids to be opened March 22, 1990, at 11:00 a.m., for Twelfth Street sewer replacement, and consider approving of an appropriation transfer to provide financing for a new C.I.P. project.
(This project will replace an existing 15 inch line and a 27 inch line in Twelfth Street with a 21 inch line. Memo with agenda. Resolution approving plans and specifications and calling for bids and resolution approving appropriation transfer needed. Estimated cost: \$81,773 (contract - \$74,339; eng. - \$7,434). Funds are budgeted.)

ACTION: Res. 90-144 adopted calling for bids.
Res. 90-145 adopted approving appropriation transfer.
(P/W - Finance to handle)

CONSENT

15. Consider award of contract for the waterline extension at M.I.D. Lateral No. 6, Standiford Avenue and Dale Road.
(Bids were opened February 13, 1990. The low bid of \$65,263.80, submitted by Cimarron Construction, is 7.55% below the engineer's estimate. It is, therefore, recommended that the contract be awarded to Cimarron Construction. Memo and bid tabulation with agenda. Resolution awarding contract needed. Estimated cost: \$69,590.18. (contract - \$62,263.80; eng. - \$6,326.38). Funds are budgeted.)

ACTION: Res. 90-146 adopted awarding contract. (P/W to handle)

CONSENT

16. Consider acceptance of Rising Sun Company's contract for the Morton Boulevard underpass at Modesto Empire Traction Company. Original contract: \$297,202.
(All work on this project has been completed to the satisfaction of the Public Works & Transportation Department. It is, therefore, recommended that the project be accepted as complete and the Notice of Completion be filed. Resolution accepting project as complete needed. Total cost: \$358,491.52. Funds are budgeted.)

ACTION: Res. 90-147 adopted accepting as complete. (Clerk to handle)

CONSENT

17. Consider acceptance of Don Milner, Inc.'s contract for 1989 cape seals. Original contract: \$241,064.11.
(All work on this project has been completed to the satisfaction of the Public Works & Transportation Department. It is, therefore, recommended that the project be accepted as complete and the Notice of Completion be filed. Resolution accepting project as complete needed. Total cost: \$252,693.50. Funds are budgeted.)

ACTION: Res. 90-148 adopted accepting as complete. (Clerk to handle)

CONSENT

18. Consider acceptance of Don Milner, Inc.'s contract for chip sealing of the 9th Street Bridge. Original contract: \$75,679.37.
(All work on this project has been completed to the satisfaction of the Public Works & Transportation Department. It is, therefore, recommended that the project be accepted as complete and the Notice of Completion be filed. Resolution accepting project as complete needed. Total cost: \$75,584.62. Funds are budgeted.)

ACTION: Res. 90-149 adopted accepting as complete. (Clerk to handle)

CONSENT

19. Consider rejecting all bids received for furnishing a vactor truck and authorize new bids to be opened March 19, 1990, at 11:00 a.m.
(Memo with agenda. Resolution rejecting all bids and calling for new bids needed. Estimated cost: \$175,000. Funds are budgeted.)

ACTION: Res. 90-150 adopted rejecting bids and calling for new bids.
(Finance to handle)

NEW BUSINESS

20. Consider approving increase in charges for unmetered and metered water service.
(Memo with agenda. Resolution approving increase in water rates needed.)

ACTION: Res. 90-151 adopted (Patterson/Muratore, unan.) approving increase in water rates. (P/W to handle)

CONSENT

21. Consider report of City Manager regarding the annual testing of Post-Newsweek Cable.
(Memo with agenda. Motion accepting report of City Manager needed.)

ACTION: By motion report accepted.

22. Consider fiscal year 1989-90 Annual Budget status report and proposed adjustments.
(Report with agenda. Resolution amending the 1989-90 budget needed.)

ACTION: By motion (Patterson/Lang, unan.) this item was continued to a future meeting. (Finance to handle)

CONSENT

23. Consider approving the Modesto City-County Airport's application for federal funds to complete the installation of a fire protection water main to the passenger terminal.
(Memo with agenda. Resolution approving application needed.)

ACTION: Res. 90-152 adopted approving application. (P/W to handle)

CONSENT

24. Consider authorizing the issuance of a purchase order to Hazard Management Services, Inc., for industrial hygienist consulting services.
(At this time, it is necessary to document the existing odoriferous components and their levels of concentration in the sewer system atmosphere. Memo with agenda. Resolution approving the issuance of a purchase order needed. Estimated cost: \$9,600. Funds are budgeted.)

ACTION: Res. 90-153 adopted approving application. (P/W to handle)

CONSENT

25. Consider approval of the final map of Shaker Estates Subdivision of the City of Modesto and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code.
Subdivider: Phillip D. Overholtzer, Inc.
(The subdivision agreement has been signed and all fees paid. Shaker Estates is located north of West Whitmore Avenue and west of Crows Landing Road. It contains 20.93 acres. Resolution approving final map needed.)

ACTION: Res. 90-154 adopted approving final map. (Clerk to handle)

CONSENT

26. Consider acceptance of improvements in Emerald Terrace Subdivision and authorize City Clerk to file a Notice of Completion and release bonds upon expiration of statutory periods. Developer: Horn Construction (Emerald Terrace Subdivision is located on the east side of Emerald Avenue between California Avenue and Maze Boulevard. All improvements have been completed to the satisfaction of the Public Works & Transportation Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 90-155 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

27. Consider authorizing City Manager to sign an agreement with Turlock Irrigation District to allow boring and jacking a waterline under T.I.D. Lateral No. 1 on Crows Landing Road. (This agreement is needed to proceed with a project to extend an 18 inch water main on Crows Landing Road. Resolution approving agreement needed.)

ACTION: Res. 90-156 adopted approving agreement. (P/W to handle)

WRITTEN COMMUNICATIONS

28. Letter from Barbarie Boyette, Executive Director of Equality Council for Housing Opportunities of Stanislaus (ECHOS) concerning a survey on occupancy standards in Modesto.

ACTION: By motion (Patterson/Lang, unan.) receipt of report acknowledged.

29. Letter from Sue Chaffee concerning a stop sign at the intersection of Lakewood and Middleboro.

By order of the Chair, letter referred to staff for recommendation. (P/W to handle)

MISCELLANEOUS

Legislation

CONSENT

30. Staff recommends:
- a. Opposition to AB 2158 (Costa) Public Water Systems
 - b. Support of AB 2595 (Tanner) Hazardous Waste Management Plans
- (Memos with agenda. Motion approving recommendations needed.)

ACTION: By motion, recommendations approved. (Manager to handle)

31.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 11:22 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

City Hall
801 11th Street
Modesto, California

A special meeting of the Council of the City of Modesto was called for 7:00 a.m., March 5, 1990, in the Council Chambers, City Hall, Modesto, California, for a closed session to consider pending litigation, pursuant to Government Code Section 54956.9(c).

Present: None

Absent: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson,
Mayor Whiteside

The meeting adjourned at 7:00 a.m. due to lack of a quorum.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 4:20 p.m., March 6, 1990, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Irizarry, Lang, Muratore, Patterson

Absent: Councilmembers Bird, Dobbs, Mayor Whiteside

The meeting adjourned at 4:20 p.m. to closed session to consider pending litigation, pursuant to Government Code Section 54956.9(c).

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 6, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Irizarry, Lang, Muratore, Patterson,

Absent: Councilmembers Bird, Dobbs, Mayor Whiteside

ACTION: By motion (Patterson/Lang, unan., Bird, Dobbs, Whiteside absent)
Councilmember Muratore was designated as Mayor pro tem

Pledge of allegiance to the Flag

Invocation: Rev. Ken Kline Smeltzer, Modesto Church of the Brethren

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 8, 9, 10, 11,
12, 13, 14, 15, 16

ACTION: (Lang/Irizarry, unan., Bird, Dobbs and Whiteside absent)

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of February 27, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

BIDS

CONSENT

4. Consider declaring Dow-Hammond low bidder on and authorize the purchase of two vans and one van with aerial lift for the total cost of \$61,393. (Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 90-157 adopted awarding bid. (Finance to handle)

CONSENT

5. Consider declaring Computer Remarketing Corp. low bidder on one fixed disk drive for the total price of \$6,044; and declaring Computerland low bidder on four laser printers for the total cost of \$12,741. (Memo with agenda. Two resolution authorizing purchase need. Funds are budgeted.)

ACTION: Res. 90-158 adopted awarding bid to Computer Remarketing Corp.
Res. 90-159 adopted awarding bid to Computerland. (Finance to handle)

NEW BUSINESS

CONSENT

6. Consider renewal of transit liability insurance for the policy year March 1, 1990, to March 1, 1991, through Carolina Casualty Insurance Company.
(Memo with agenda. Resolution approving insurance renewal needed. Estimated cost: \$182,304. Funds are budgeted.)

ACTION: Res. 90-160 adopted approving insurance renewal. (Atty to handle)

CONSENT

7. Consider supporting the Modesto Youth Commission guidelines for honoring youth for outstanding accomplishment and authorizing the appropriation of \$240 in the 1990 budget.
(Memo with agenda. Resolution of support needed.)

ACTION: Res. 90-161 adopted supporting guidelines. (P/R to handle)

CONSENT

8. Consider job description and salary range for Hazardous Materials Inspector.
(Memo with agenda. Resolution amending the Position Classification Plan to adopt the classification for Hazardous Materials Inspector, and resolution amending the Class Range Tables to set the salary at Range 130. needed.)

ACTION: Res. 90-162 adopted amending the Position Classification Plan.
Res. 90-163 adopted amending salary schedule. (Mgr to handle)

CONSENT

9. Consider approving agreement with Cash King Check Cashing Company to sell Intracity Transit bus passes.
(Memo with agenda. This will establish a pass outlet near the intersection of Prescott and Briggsmore and provide a better distribution of pass outlets throughout Modesto. Resolution approving agreement needed. Estimated cost: \$40 per year. Funds are budgeted.)

ACTION: Res. 90-164 adopted approving agreement. (P/W to handle)

CONSENT

10. Consider appointment of Risk Manager as City's representative to Authority for California Cities Excess Liability Pool (ACCEL).
(The ACCEL agreement requires the City Council to appoint a representative to the Board of Directors. Resolution designating the Risk Manager as the City's representative needed.)

ACTION: Res. 90-165 adopted appointing Risk Manager. (Atty to handle)

CONSENT

11. Consider request for refund of \$573.32 for overpayment of Business Improvement Area Tax by Warden's Office, Inc.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-166 adopted approving refund. (Finance to handle)

CONSENT

12. Consider request for refund of \$1,291.19 for overpayment of Business Improvement Area Tax by Thompson-Hysell.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-167 adopted approving refund. (Finance to handle)

CONSENT

13. Consider request for refund of \$2,245.75 for overpayment of Business Improvement Area Tax by The Modesto Bee.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-168 adopted approving refund. (Finance to handle)

CONSENT

14. Consider request for refund of \$569.73 for overpayment of Business Improvement Area Tax by Modesto Lumber.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-169 adopted approving refund. (Finance to handle)

CONSENT

15. Consider request for refund of \$607.11 for overpayment of Business License Tax by Budget Rent-a-Car.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-170 adopted approving refund. (Finance to handle)

CONSENT

16. Consider request for refund of \$569.46 for overpayment of Business Improvement Area Tax by Central Janitors Supply.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-171 adopted approving refund. (Finance to handle)

WRITTEN COMMUNICATIONS

17. Letter from April Boland concerning stray dogs.

No action taken.

MISCELLANEOUS

Appointments

18. Consider appointing five new members to the "Modesto Fights Back!" Steering Committee.

ACTION: Res. 90-172 adopted (Patterson/Irizarry, unan., Bird, Dobbs, Whiteside absent) appointing to Committee: Ora Scruggs, Ben Ratliffe, Patty Fairchild, Tommie Ware, Carolyn Cotta.

MATTERS TOO LATE FOR THE AGENDA

19. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 4:19 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 9:00 a.m., March 8, 1990, in the Council Chambers, City Hall, Modesto, California, for a closed session.

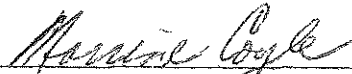
Present: Councilmembers Bird, Irizarry, Muratore, Patterson,
Mayor Whiteside

Councilmember Patterson arrived at 9:12 a.m.

Absent: Councilmembers Dobbs, Lang

The meeting adjourned at 9:05 a.m. to closed session to consider pending litigation, pursuant to Government Code Section 54956.9(c).

ATTEST:



NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 10:17 p.m., March 13, 1990, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

The meeting adjourned at 10:18 p.m. to closed session to consider pending litigation, pursuant to Government Code Section 54956.9(a).

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 13, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Timothy Simmons, Greater True Light Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 10, 11, 12, 13, 15, 16,
17, 18, 19, 20, 21, 22, 23, 24, 25,
26, 27, 29

ACTION: (Muratore/Lang, unan.)

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Item 28
(Councilmember Dobbs excused due to
a conflict of interest.)

ACTION: (Irizarry/Bird, unan., Dobbs absent)

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A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular and special City Council meetings of March 6, 1990, and the special City Council meeting of March 8, 1990. (Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Paul Stewart, newly appointed Executive Vice President of the Building Industry Association, introduced himself.

UNFINISHED BUSINESS

CONSENT

4. Request by David Moss to re-calculate the Public Facilities District No. 6 assessment on his property. (Mr. Moss taken the necessary steps at the County Assessors Office to combine his two parcels into one, and would like the City to re-calculate his assessment based on the one parcel. Staff recommends approval of his request. Memo with agenda. Resolution revising the assessment needed.)

ACTION: Res. 90-173 adopted revising the assessment. (P/W to handle)

HEARINGS

5. Hearing of Necessity for Eminent Domain Proceedings to acquire real property needed for Public Facilities District No. 6, widening major streets, Coffee, Oakdale and Prescott Road.

ACTION: Res. 90-174 adopted (Lang/Bird, unan.) approving Resolution of Necessity to acquire property by eminent domain from Matthew Alderman.

Res. 90-175 adopted (Lang/Bird, unan.) approving Resolution of Necessity to acquire property by eminent domain from James Byles.

Res. 90-176 adopted (Lang/Bird, unan.) approving Resolution of Necessity to acquire property by eminent domain from Clyde Braner.

Res. 90-177 adopted (Lang/Bird, unan.) approving Resolution of Necessity to acquire property by eminent domain from Remus D. Moss.

Res. 90-178 adopted (Lang/Bird, unan.) approving Resolution of Necessity to acquire property by eminent domain from Remus D. Moss.

Res. 90-179 adopted (Lang/Bird, unan.) approving Resolution of Necessity to acquire property by eminent domain from Lolita Santiago.

Res. 90-180 adopted (Lang/Bird, unan.) approving Resolution of Necessity to acquire property by eminent domain from Pauline Israels.

Res. 90-181 adopted (Lang/Bird, unan.) approving Resolution of Necessity to acquire property by eminent domain from Dennis Smith.

Res. 90-182 adopted (Lang/Bird, unan.) approving Resolution of Necessity to acquire property by eminent domain from George Margarite.

Res. 90-183 adopted (Lang/Bird, unan.) approving Resolution of Necessity to acquire property by eminent domain from Donald Gonsalves.

Res. 90-184 adopted (Lang/Bird, unan.) approving Resolution of Necessity to acquire property by eminent domain from Nora Naraghi.
(P/W and Attorney to handle)

6. Hearing to consider approval of Report of Superintendent of Streets on the costs of residential alley resurfacing project No. 15.
(The following information reflects 100% of the contract costs, including engineering and staff time as well as all aspects of resurfacing the alleys from clearing to raising water valve boxes:

BLOCK 825
PURDUE - FORDHAM AVENUE/NOTRE DAME AVENUE - TULLY ROAD

Ruggieri, Francis R., et ux 1204 Purdue Avenue \$733.48

ACTION: Res. 90-184A adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Baba, Alexander, Jr. 1214 Purdue Avenue 675.47

ACTION: Res. 90-185 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Lyons, William T. 1220 Purdue Avenue 675.47

ACTION: Res. 90-186 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

	Yarick, Bart C., et al	1226 Purdue Avenue	641.16
<u>ACTION:</u>	Res. 90-187 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Perry, Donald L. et ux	1230 Purdue Avenue	650.35
<u>ACTION:</u>	Res. 90-188 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Cuellar, Joe, et ux	1234 Purdue Avenue	630.44
<u>ACTION:</u>	Res. 90-189 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Taylor, Daniel J., et ux	1238 Purdue Avenue	630.44
<u>ACTION:</u>	Res. 90-190 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Patch, Robert E., et ux	920 Tully Road	635.58
<u>ACTION:</u>	Res. 90-191 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Hinchey, Donald A., et ux	916 Tully Road	679.35
<u>ACTION:</u>	Res. 90-192 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Ponte, John R., et ux	1239 Fordham Avenue	630.44
<u>ACTION:</u>	Res. 90-193 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Prigge, Steve W., et ux	1235 Fordham Avenue	630.44
<u>ACTION:</u>	Res. 90-194 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Lay, Steven G., et ux	1231 Fordham Avenue	605.14
<u>ACTION:</u>	Res. 90-195 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Snyder, Wayne M.	1227 Fordham Avenue	704.66
<u>ACTION:</u>	Res. 90-196 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		

Mann, David M., et ux	1221 Fordham Avenue	675.47
<u>ACTION:</u>	Res. 90-197 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Stutzin, Leo	1215 Fordham Avenue	675.47
<u>ACTION:</u>	Res. 90-198 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Azevedo, Henry V. Jr., et ux	1205 Fordham Avenue	671.51
<u>ACTION:</u>	Res. 90-199 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)

BLOCK 6146
SILKWOOD DRIVE - LINWOOD DRIVE/FERNWOOD DRIVE - GLENWOOD DRIVE

Glass, James A., et ux	1503 Glenwood Drive	\$ 245.14
<u>ACTION:</u>	Res. 90-200 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Ullman, Gertrude Z.	1502 Goldenwood drive	1,196.19
<u>ACTION:</u>	Res. 90-201 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Greydanus, Peter, et ux	1506 Silkwood Drive	774.28
<u>ACTION:</u>	Res. 90-202 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Peralta, Stella	1510 Silkwood Drive	702.76
<u>ACTION:</u>	Res. 90-203 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Ridgeway, Florence M.	1602 Silkwood Drive	702.76
<u>ACTION:</u>	Res. 90-204 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Piscitello, Nick R., et ux	1606 Silkwood Drive	702.76
<u>ACTION:</u>	Res. 90-205 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)

Muyres, Hubert M., et ux	1610 Silkwood Drive	702.76
<u>ACTION:</u>	Res. 90-206 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Sanders, John S., et ux	1614 Silkwood Drive	702.76
<u>ACTION:</u>	Res. 90-207 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Setaro, Leonard, et ux	1618 Silkwood Drive	702.76
<u>ACTION:</u>	Res. 90-208 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Wong, Moon G., et ux	1622 Silkwood Drive	702.76
<u>ACTION:</u>	Res. 90-209 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Jeppson, Gerald B., et ux	1626 Silkwood Drive	702.76
<u>ACTION:</u>	Res. 90-210 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Gada, Raymond S. III	1702 Silkwood Drive	702.76
<u>ACTION:</u>	Res. 90-211 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Miller, Joyce	1706 Silkwood Drive	702.76
<u>ACTION:</u>	Res. 90-212 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Jackson, Merri E.	1710 Silkwood Drive	702.76
<u>ACTION:</u>	Res. 90-213 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Turrentine, Carroll R., et ux	1714 Silkwood Drive	630.62
<u>ACTION:</u>	Res. 90-214 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Tidwell, Regina K. D.	1500 Fernwood Drive	1,115.07
<u>ACTION:</u>	Res. 90-215 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)

Larson, Daniel R., et ux	1705 Linwood Drive	999.05
<u>ACTION:</u>	Res. 90-216 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Baker, John S., et al	1701 Linwood Drive	729.68
<u>ACTION:</u>	Res. 90-217 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Clevenger, Kenneth L., et ux	1629 Linwood Drive	729.68
<u>ACTION:</u>	Res. 90-218 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Pucci, Jacqueline M.	1625 Linwood Drive	999.05
<u>ACTION:</u>	Res. 90-219 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Wagner, Julia A.	1621 Linwood Drive	999.05
<u>ACTION:</u>	Res. 90-220 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Higbee, De Wayne A.	1617 Linwood Drive	684.82
<u>ACTION:</u>	Res. 90-221 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Stamos, Jimmy N. et ux	1613 Linwood Drive	684.82
<u>ACTION:</u>	Res. 90-222 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Cardenas, David R., et ux	1609 Linwood Drive	937.41
<u>ACTION:</u>	Res. 90-223 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Stuit, Raymond E., et ux	1605 Linwood Drive	937.11
<u>ACTION:</u>	Res. 90-224 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Louis, Douglas M.	1601 Linwood Drive	739.10
<u>ACTION:</u>	Res. 90-225 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	

	Freitas, Roberta	1513 Linwood Drive	720.71
<u>ACTION:</u>	Res. 90-226 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Colombo, Angelo, et ux	1509 Linwood Drive	666.87
<u>ACTION:</u>	Res. 90-227 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Dahlgren, John W. et ux	1505 Linwood Drive	693.79
<u>ACTION:</u>	Res. 90-228 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Banner, Eugene H. Trust	1501 Linwood Drive	684.82
<u>ACTION:</u>	Res. 90-228A adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	BLOCK 6729		
	<u>MONTE CARLO AVENUE - MONTE VERDE AVENUE/MOUNT VERNON DRIVE - BOWEN AVENUE</u>		
	Hughes, Donald W., et ux	1124 Mount Vernon Drive	\$976.26
<u>ACTION:</u>	Res. 90-229 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Coelho, Alvin J., et ux	2322 Monte Verde Avenue	896.45
<u>ACTION:</u>	Res. 90-230 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Kaufmann, Opal M.	2314 Monte Verde Avenue	663.64
<u>ACTION:</u>	Res. 90-231 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Allen, Donald C. et ux	2310 Monte Verde Avenue	663.64
<u>ACTION:</u>	Res. 90-232 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Meador, Brian L., et ux	2306 Monte Verde Avenue	663.64
<u>ACTION:</u>	Res. 90-233 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Imbesi, Frank S., et al	2302 Monte Verde Avenue	663.64
<u>ACTION:</u>	Res. 90-234 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		

	Shiyomura, George T. et ux	2218 Monte Verde Avenue	663.64
<u>ACTION:</u>	Res. 90-235 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Metzler, Ruth E.	2214 Monte Verde Avenue	663.64
<u>ACTION:</u>	Res. 90-236 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	James, Robert F., et ux	2210 Monte Verde Avenue	672.58
<u>ACTION:</u>	Res. 90-237 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Warner, Jack R., et ux	2206 Monte Verde Avenue	672.58
<u>ACTION:</u>	Res. 90-238 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Mott, John	2202 Monte Verde Avenue	732.55
<u>ACTION:</u>	Res. 90-239 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Carlson, Isabelle	2201 Monte Carlo Avenue	687.06
<u>ACTION:</u>	Res. 90-240 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Brawley, Wayne, et ux	2205 Monte Carlo Avenue	672.58
<u>ACTION:</u>	Res. 90-241 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Windemuth, Richard	2209 Monte Carlo Avenue	672.58
<u>ACTION:</u>	Res. 90-242 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Gardner, Kenneth L.	2213 Monte Carlo Avenue	663.64
<u>ACTION:</u>	Res. 90-243 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Silva, William C.	2217 Monte Carlo Avenue	663.64
<u>ACTION:</u>	Res. 90-244 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		

	Tomao, Salvatore, et ux	2301 Monte Carlo Avenue	663.64
<u>ACTION:</u>	Res. 90-245 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Davis, Edwin V., et ux	2305 Monte Carlo Avenue	663.64
<u>ACTION:</u>	Res. 90-246 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Burrows, Leroy, et ux	2309 Monte Carlo Avenue	663.64
<u>ACTION:</u>	Res. 90-247 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Inskeep, Hugh V., et ux	2313 Monte Carlo Avenue	663.64
<u>ACTION:</u>	Res. 90-248 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Woodruff, Dennis M.	2317 Monte Carlo Avenue	896.45
<u>ACTION:</u>	Res. 90-249 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Crow, Keith T., et ux	1116 Mount Vernon Drive	995.48
<u>ACTION:</u>	Res. 90-250 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		

BLOCK 6821
NORTHWOOD DRIVE - BOWEN AVENUE/SHERWOOD AVENUE - FREMONT AVENUE

	Horgan, Maurice R., et ux	710 Northwood Drive	\$837.64
<u>ACTION:</u>	Res. 90-251 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Occhipinti, Lena A.	706 Northwood Drive	708.41
<u>ACTION:</u>	Res. 90-252 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Alleman, Richard C.	702 Northwood Drive	714.19
<u>ACTION:</u>	Res. 90-253 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Wilson, John A., et ux	606 Northwood Drive	701.03
<u>ACTION:</u>	Res. 90-254 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		

Suggs, Thomas J., et ux	602 Northwood Drive	732.43
<u>ACTION:</u>	Res. 90-255 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Berchem, Julius W., et ux Tr.	514 Northwood Drive	696.67
<u>ACTION:</u>	Res. 90-256 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Meanza, Angelo, et ux Family Trust	510 Northwood Drive	757.15
<u>ACTION:</u>	Res. 90-257 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Darpinian, Barbara D.	506 Northwood Drive	791.93
<u>ACTION:</u>	Res. 90-258 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Dimond, Brower A., et ux	502 Northwood Drive	878.38
<u>ACTION:</u>	Res. 90-259 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Richards, Robert N., et ux	410 Northwood Drive	878.11
<u>ACTION:</u>	Res. 90-260 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Harding, James D., et ux	406 Northwood Drive	814.34
<u>ACTION:</u>	Res. 90-261 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Vickrey, F. W., et ux	402 Northwood Drive	843.60
<u>ACTION:</u>	Res. 90-262 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Kaiser, Erwin L., et ux	2201 Sherwood Avenue	729.58
<u>ACTION:</u>	Res. 90-263 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Blaine, Gordon B., et ux	405 Bowen Avenue	800.47
<u>ACTION:</u>	Res. 90-264 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	

	Booth, Catherine T.	409 Bowen Avenue	800.47
<u>ACTION:</u>	Res. 90-265 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Johnson, Calvin P. et ux	501 Bowen Avenue	840.31
<u>ACTION:</u>	Res. 90-266 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Costa, Norma L.	505 Bowen Avenue	818.52
<u>ACTION:</u>	Res. 90-267 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Canty, Howard W., et ux	509 Bowen Avenue	782.95
<u>ACTION:</u>	Res. 90-268 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Swigart, Russell D., et ux	513 Bowen Avenue	774.05
<u>ACTION:</u>	Res. 90-269 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Struck, James D., et ux	601 Bowen Avenue	756.26
<u>ACTION:</u>	Res. 90-270 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Figueiredo, Anthony J.	605 Bowen Avenue	756.35
<u>ACTION:</u>	Res. 90-271 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Kalunian, Arthur, et ux	701 Bowen Avenue	756.44
<u>ACTION:</u>	Res. 90-272 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Monschein, Michael F.	705 Bowen Avenue	756.44
<u>ACTION:</u>	Res. 90-273 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Craft, Charles D., et ux	2202 Fremont Avenue	826.17
<u>ACTION:</u>	Res. 90-274 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		

BLOCK 6822
KIRKWOOD AVENUE - MCHENRY AVENUE/NORTHGATE AVENUE - BOWEN AVENUE

	Sandelman, Sanford Tr.	2205 McHenry Avenue	\$1,708.08
<u>ACTION:</u>	Res. 90-275 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	PNW, Inc.	2401 McHenry Avenue	1,981.06
<u>ACTION:</u>	Res. 90-276 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Sciabica, Vincent J., et ux	216 Northgate Drive	881.52
<u>ACTION:</u>	Res. 90-277 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Hill, Jerry W., et ux	2306 Kirkwood Avenue	883.82
<u>ACTION:</u>	Res. 90-278 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Martone, Alberta	2302 Kirkwood Avenue	839.58
<u>ACTION:</u>	Res. 90-279 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Smith, G. Dale, et ux	302 Northwood Drive	1,281.92
<u>ACTION:</u>	Res. 90-280 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Pierre, Hazel L.	306 Northwood Drive	917.89
<u>ACTION:</u>	Res. 90-281 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Dolan, Gary M. et ux	310 Northwood Drive	843.12
<u>ACTION:</u>	Res. 90-282 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Forbes, Raymond P., et ux	314 Northwood Drive	839.67
<u>ACTION:</u>	Res. 90-283 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Domitrovich, Thomas L., et ux	318 Northwood Drive	702.69
<u>ACTION:</u>	Res. 90-284 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
WPCC127		13	3-13-90

Soderstrom, Elizabeth T.,
 et ux 322 Northwood Drive 825.60

ACTION: Res. 90-285 adopted (Irizarry/Bird, unan.) confirming report,
 assessing costs, directing method of payment. (Finance to handle)

Lingle, Dorothy A. 326 Northwood Drive 842.59

ACTION: Res. 90-286 adopted (Irizarry/Bird, unan.) confirming report,
 assessing costs, directing method of payment. (Finance to handle)

Fuery, John J., et ux 330 Northwood Drive 855.95

ACTION: Res. 90-287 adopted (Irizarry/Bird, unan.) confirming report,
 assessing costs, directing method of payment. (Finance to handle)

Hansen, Edward W., et ux 2202 Sherwood Avenue 991.42

ACTION: Res. 90-288 adopted (Irizarry/Bird, unan.) confirming report,
 assessing costs, directing method of payment. (Finance to handle)

Powers, Larry L. et ux 321 Bowen Avenue 786.49

ACTION: Res. 90-289 adopted (Irizarry/Bird, unan.) confirming report,
 assessing costs, directing method of payment. (Finance to handle)

Brown, Charles J., et ux 317 Bowen Avenue 786.49

ACTION: Res. 90-290 adopted (Irizarry/Bird, unan.) confirming report,
 assessing costs, directing method of payment. (Finance to handle)

Erickson, Eleanor 313 Bowen Avenue 786.49

ACTION: Res. 90-291 adopted (Irizarry/Bird, unan.) confirming report,
 assessing costs, directing method of payment. (Finance to handle)

Tringali, Shirley, et ux 309 Bowen Avenue 786.49

ACTION: Res. 90-292 adopted (Irizarry/Bird, unan.) confirming report,
 assessing costs, directing method of payment. (Finance to handle)

Luond, Albert C., et ux 305 Bowen Avenue 786.49

ACTION: Res. 90-293 adopted (Irizarry/Bird, unan.) confirming report,
 assessing costs, directing method of payment. (Finance to handle)

Heller, Melvin W. Jr., et ux 301 Bowen Avenue 786.49

ACTION: Res. 90-294 adopted (Irizarry/Bird, unan.) confirming report,
 assessing costs, directing method of payment. (Finance to handle)

Edwards, George W., et ux 221 Bowen Avenue 786.49
ACTION: Res. 90-295 adopted (Irizarry/Bird, unan.) confirming report,
assessing costs, directing method of payment. (Finance to handle)

Funnell, John H. 217 Bowen Avenue 807.72
ACTION: Res. 90-296 adopted (Irizarry/Bird, unan.) confirming report,
assessing costs, directing method of payment. (Finance to handle)

BLOCK 6139
COLLEGE AVENUE - CONCORD AVENUE/GRANGER AVENUE - WOODMAN WAY

Hughes, Robert D., et ux 1713 College Avenue \$ 548.44
ACTION: Res. 90-297 adopted (Irizarry/Bird, unan.) confirming report,
assessing costs, directing method of payment. (Finance to handle)

Larsen, Robert L., et ux 1707 College Avenue 635.50
ACTION: Res. 90-298 adopted (Irizarry/Bird, unan.) confirming report,
assessing costs, directing method of payment. (Finance to handle)

Chatfield, Milton, et ux 1705 College Avenue 635.50
ACTION: Res. 90-299 adopted (Irizarry/Bird, unan.) confirming report,
assessing costs, directing method of payment. (Finance to handle)

Mathies, Fred T., et ux 1701 College Avenue 635.50
ACTION: Res. 90-300 adopted (Irizarry/Bird, unan.) confirming report,
assessing costs, directing method of payment. (Finance to handle)

Grogan, William B., et ux 1629 College Avenue 635.50
ACTION: Res. 90-301 adopted (Irizarry/Bird, unan.) confirming report,
assessing costs, directing method of payment. (Finance to handle)

Linscott, David C., et ux 1625 College Avenue 635.50
ACTION: Res. 90-302 adopted (Irizarry/Bird, unan.) confirming report,
assessing costs, directing method of payment. (Finance to handle)

Vaille, David A. 1617 College Avenue 317.48
ACTION: Res. 90-303 adopted (Irizarry/Bird, unan.) confirming report,
assessing costs, directing method of payment. (Finance to handle)

	Bryant, Kenneth S., et ux	1615 College Avenue	453.93
<u>ACTION:</u>	Res. 90-304 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Grogan, Mary	1611 College Avenue	635.50
<u>ACTION:</u>	Res. 90-305 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Prom, Saysao, et ux	1115 Granger Avenue	1,588.76
<u>ACTION:</u>	Res. 90-306 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Meyer, Ellen M.	1600 Concord Avenue	544.72
<u>ACTION:</u>	Res. 90-307 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Achterberg, Jennie J.	1604 Concord Avenue	544.72
<u>ACTION:</u>	Res. 90-308 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Cantrell, Jimmie L., et ux	1608 Concord Avenue	544.72
<u>ACTION:</u>	Res. 90-309 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Ridenour, Levert, et ux	1612 Concord Avenue	544.72
<u>ACTION:</u>	Res. 90-310 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	McSparin, Sharon A.	1616 Concord Avenue	544.72
<u>ACTION:</u>	Res. 90-311 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Groves, Virgil	1620 Concord Avenue	544.72
<u>ACTION:</u>	Res. 90-312 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Quinonez, Adan, et ux	1624 Concord Avenue	544.72
<u>ACTION:</u>	Res. 90-313 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		

	O'Conner, Donald K.	1628 Concord Avenue	544.72
<u>ACTION:</u>	Res. 90-314 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Caudle, Alta P.	1700 Concord Avenue	544.72
<u>ACTION:</u>	Res. 90-315 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Villers, David B., et ux	1704 Concord Avenue	544.72
<u>ACTION:</u>	Res. 90-316 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Kovolyak, John, et ux	1708 Concord Avenue	544.72
<u>ACTION:</u>	Res. 90-317 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Birgel, Ronald L., et ux	1712 Concord Avenue	723.93
<u>ACTION:</u>	Res. 90-318 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		

BLOCK 5304
HILLVIEW DRIVE - FAIROAKS DRIVE/CLOVER LANE - BLUEGRASS LANE

	Silva, Phillip G., et ux	1210 Hillview Drive	\$996.32
<u>ACTION:</u>	Res. 90-319 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Best, Charles A., et ux	206 Clover Lane	916.52
<u>ACTION:</u>	Res. 90-320 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Cummins, Dennis, et ux	202 Clover Lane	916.52
<u>ACTION:</u>	Res. 90-321 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Shirley, Jarrett F., et ux	106 Clover Lane	916.52
<u>ACTION:</u>	Res. 90-322 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Simmons, Timothy J., et ux	1211 Fair Oaks Drive	916.52
<u>ACTION:</u>	Res. 90-323 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		

Bean, Leaman, et ux	1207 Fair Oaks Drive	938.67
<u>ACTION:</u>	Res. 90-324 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Ott, Clements Jr., et ux	105 Bluegrass Lane	938.76
<u>ACTION:</u>	Res. 90-325 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Ott, Clements Jr., et ux	201 Bluegrass Lane	938.76
<u>ACTION:</u>	Res. 90-326 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Brown, Christine I.	205 Bluegrass Lane	938.76
<u>ACTION:</u>	Res. 90-327 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
McKeever, Charles E., et ux	209 Bluegrass Lane	938.67
<u>ACTION:</u>	Res. 90-328 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	

BLOCK 12952
WINDSOR LANE - SHEFFIELD LANE/SUNRISE AVENUE - RUMBLE ROAD

Wilbur, Norman, et ux	900 Rumble Road	\$ 644.18
<u>ACTION:</u>	Res. 90-329 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Leeman, Constance A.	2912 Windsor Lane	643.58
<u>ACTION:</u>	Res. 90-330 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Pollard, Daniel A., et ux	2908 Windsor Lane	643.58
<u>ACTION:</u>	Res. 90-331 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	
Fleshman, Edgar w.	2904 Windsor Lane	643.58
<u>ACTION:</u>	Res. 90-332 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)	

	Setzer, Keith P., et ux	2900 Windsor Lane	643.58
<u>ACTION:</u>	Res. 90-333 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Morelini, Wayne C., et ux	2816 Windsor Lane	1,184.88
<u>ACTION:</u>	Res. 90-334 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Parkhurst, Ilona M.	2705 Sheffield Lane	468.44
<u>ACTION:</u>	Res. 90-335 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Suzuki, Emmie	2801 Sheffield Lane	789.46
<u>ACTION:</u>	Res. 90-336 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Kellogg, Elmo F., et ux	2805 Sheffield Lane	789.46
<u>ACTION:</u>	Res. 90-337 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Neder, Ronald A., et ux.	2809 Sheffield Lane	789.46
<u>ACTION:</u>	Res. 90-338 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Parsons, Joseph J., et ux.	2901 Sheffield Lane	789.46
<u>ACTION:</u>	Res. 90-339 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
	Davis, Walter A. Jr., et ux	2905 Sheffield Lane	777.10
<u>ACTION:</u>	Res. 90-340 adopted (Irizarry/Bird, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		

BLOCK 804-A
YALE AVENUE - COLDWELL AVENUE/COLLEGE AVENUE - TULLY ROAD

Councilmember Muratore excused due to a conflict of interest.

	Rolefson, Walter J., et ux	1120 Yale Avenue	\$1,313.94
<u>ACTION:</u>	Res. 90-341 adopted (Patterson/Lang, unan., Muratore absent) confirming report, assessing costs, directing method of payment. (Finance to handle)		

BIDS

CONSENT

10. Consider approving specifications and authorizing call for bids to be opened April 9, 1990, at 11:00 a.m., for furnishing one diesel triplex greens mower and one diesel 3-gang mower.
(Requested by the Service Division of the Public Works & Transportation Department, the greens mower will replace an 8 year old unit at Dryden; the 3-gang mower will be an additional unit for Dryden and Muni that will reduce compaction and provide a better cut. Resolution approving specifications and calling for bids needed. Estimated cost: \$47,000. Funds are budgeted.)

ACTION: Res. 90-353 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider authorizing the purchase of one new current model year packer truck from F. B. Hart Company, Inc., for the total price of \$108,186.93.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 90-354 adopted awarding bid. (Finance to handle)

CONSENT

12. Consider acceptance of Ireland's contract for the picnic area and shade structure at Mellis Park. Original contract: \$57,989.02.
(All work on this project has been completed to the satisfaction of the Parks & Recreation Department and the Public Works & Transportation Department. It is, therefore, recommended that the project be accepted as complete and the Notice of Completion filed. Resolution accepting project as complete needed. Total cost: \$60,895.26. Funds are budgeted.)

ACTION: Res. 90-355 adopted accepting as complete. (Clerk to handle)

CONSENT

13. Consider acceptance of Joe Martin Pipeline, Inc.'s contract for the Culpepper waterline extension. Original contract: \$17,740.00.
(All work on this project has been completed to the satisfaction of the Public Works & Transportation Department. It is, therefore, recommended that the project be accepted as complete and the Notice of Completion filed. Resolution accepting project as complete needed. Total cost: \$17,754.00. Funds are budgeted.)

ACTION: Res. 90-356 adopted accepting as complete. (Clerk to handle)

NEW BUSINESS

Item 14 taken after item 8.

14. Consider Council Mission Statement and Five-Year Goals.
(Memo with agenda. Motion adopting Mission Statement and Goals needed.)

ACTION: By motion (Lang/Dobbs, unan.) the Mission Statement and Goals were adopted.
By motion (Patterson/Dobbs, unan.) it was agreed that the Council meeting times will be changed to 7:30 p.m. on the 1st and 3rd Tuesdays, and 4:00 p.m. on the 2nd and 4th Tuesdays.
(Manager to handle)

CONSENT

15. Consider approving agreement with E & J Gallo Winery for the lease of Hangar No. 6 at the Modesto Airport.
(Gallo's lease for Hangar No. 6 has expired and needs to be renewed. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-357 adopted approving agreement. (Attorney to handle)

CONSENT

16. Consider approving agreement with Federal Express Corporation for a drop box at the Modesto Airport.
(Federal Express has a drop box at the Airport and their lease needs to be renewed. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-358 adopted approving agreement. (Attorney to handle)

CONSENT

17. Consider approving an agreement with CLS Investments concerning right-of-way for Public Facilities District No. 6.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-360 adopted approving agreement. (Attorney to handle)

CONSENT

18. Consider renewal of Tuolumne River Regional Park Errors and Omissions policy with American Empire Surplus Lines.
(Memo with agenda. Resolution approving renewal needed. Estimated cost: \$4,141.25. Funds are budgeted.)

ACTION: Res. 90-360 adopted approving renewal. (Attorney to handle)

CONSENT

19. Consider approval of LAFCO questionnaire indicating no opposition to the Chicago-Briggs Governmental Reorganization.
(Proponents propose an annexation of 13.18 acres located south of Briggs Avenue and north of Chicago Avenue, west of Jeelu Way. Memo, map and LAFCO questionnaire with agenda. Resolution approving LAFCO questionnaire needed.)

ACTION: Res. 90-361 adopted approving LAFCO questionnaire.
(Planning to handle)

CONSENT

20. Consider authorizing issuance of two purchase orders for repair of water well pumps 7 and 45.

(Wells are needed for high summer peak demands and repair work needs to be completed immediately. Two resolutions authorizing issuance of purchase orders Howk Systems and Andrews Electric needed. Estimated cost: \$16,900. Funds are budgeted.)

ACTION: Res. 90-362 adopted authorizing issuance of purchase order to Howk Systems.
Res. 90-363 adopted authorizing issuance of purchase order to Andrews Electric. (Finance, P/W to handle)

CONSENT

21. Consider request for water service to property outside City limits at 4630 McHenry Avenue, located on the east side of McHenry Avenue between Bangs Avenue and Claribel Road. Owner: James W. Smith
(The property owner has signed an agreement to annex when requested to do so by City. The property is not contiguous to City and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 90-364 adopted approving agreement. (P/W to handle)

CONSENT

22. Consider approval of the final map of Mountainview Terrace Unit 5 of the City of Modesto and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code.
Subdivider: Albert O. and Gertrude Berchtold.
(The subdivision agreement has been signed and all fees paid. Mountainview Terrace Unit 5 is located north of Kansas Avenue and east of Rosemore Avenue. It contains 1.427 acres. Resolution approving final map needed.)

ACTION: Res. 90-365 adopted approving final map. (Clerk to handle)

CONSENT

23. Consider approval of the final map of Sylvan Meadows East No. 7 of the City of Modesto and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code.
Subdivider: Dimensions, Inc., and Dimensions Diversified.
(The subdivision agreement has been signed and all fees paid. Sylvan Meadows East No. 7 is located east of Montevue Drive between Bywood Lane and Fairview Drive. It contains 1.826 acres. Resolution approving final map needed.)

ACTION: Res. 90-366 adopted approving final map. (Clerk to handle)

CONSENT

24. Consider abandonment of a portion of the storm sewer easement in Block 1713 of the Springcreek No. 2 Subdivision of the City of Modesto.
(Memo with agenda. Resolution vacating and abandoning a portion of the storm sewer easement in Block 1713 needed.)

ACTION: Res. 90-367 adopted approving abandonment. (P/W to handle)

CONSENT

25. Consider Resolution of Intention to vacate and abandon Spanos Court east of Coffee Road.
(On September 18, 1989, the Planning Commission adopted Resolution No. 89-114 recommending to the City Council abandonment of Spanos Court east of Coffee Road. It is recommended that the Resolution of Intention be adopted setting April 10, 1990, at 7:30 p.m. as the time for the hearing. Memo will be provided before the hearing. Resolution of Intention for vacation and abandonment and setting hearing needed.)

ACTION: Res. 90-368 adopted approving Resolution of Intention to abandon. (Clerk to handle)

CONSENT

26. Consider a change to the Code concerning rezoning of properties to be annexed to the City.
(Memo with agenda. Staff recommends that the Council refer a proposed zoning code text amendment to the Planning Commission for public hearing and recommendation to the City Council. Motion referring proposed amendment to the Planning Commission needed.)

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

CONSENT

27. Consider approving amendment to agreement with Wings West Airlines, dba American Eagle, for their operation at the Airport.
(American Eagle's lease needs to be amended to add an office. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 90-369 adopted approving amended agreement. (Attorney to handle)

CONSENT (Councilmember Dobbs excused due to a conflict of interest.)

28. Consider authorizing the City Manager to execute a memorandum of understanding with the Sylvan Union School District for provision of Modesto Police Department services.
(Memo with agenda. Resolution approving needed.)

ACTION: Res. 90-370 adopted approving a Memorandum of Understanding. (Police to handle)

WRITTEN COMMUNICATIONS

CONSENT

29. Letter from Manuel Gonzalez requesting permission to file a late claim.
(Resolution denying request needed.)

ACTION: Res. 90-371 adopted denying request. (Clerk to handle)

MISCELLANEOUS

Appointments

30. Consider re-appointment to the Downtown Improvement District Board of Directors.

ACTION: Res. 90-372 adopted (Patterson/Irizarry, unan.) reappointing Gwen Bruton to the Downtown Improvement District Board. (Clerk to handle)

31. Consider appointments to the following:

a. Board of Zoning Adjustment

ACTION: Res. 90-373 adopted (Irizarry/Dobbs, unan.) appointing James Von Dohlen.

b. Culture Commission

ACTION: Res 90-374 adopted (Irizarry/Dobbs, unan.) appointing Michael Royer

c. Human Relations Commission

ACTION: Res. 90-375 adopted (Irizarry/Dobbs, unan.) appointing Peter Pen.

d. Planning Commission

ACTION: Res. 90-376 adopted (Lang/Bird, majority, Irizarry and Whiteside-no) appointing Arthur Martin.

e. Citizens Housing & Community Development Committee

ACTION: Res. 90-377 adopted(Lang/Dobbs, unan.) appointing Jeff Grover as the Planning Commission representative.

f. Housing Maintenance & Counseling Subcommittee

ACTION: Res. 90-378 adopted (Lang/Dobbs, unan.) appointing Bob Dunbar as the Planning Commission representative. (Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

32. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 10:17 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 20, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Joel Richards, La Loma Grace Brethren Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 9, 10, 11, 12, 13, 15,
16, 17, 18, 21, 22, 23, 24

ACTION: (Lang/Bird, unan.)

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

- a. Presentation on 1990 census efforts, "Everyone Counts in Modesto" program.
(Presentation by Ms. Betty Ustach, Regional Census Coordinator, on the activities of the Complete Count Committee. Memo with agenda.)

Ms. Ustach spoke about the procedures to be followed in conducting the census.

- b. Presentation on status of high speed rail corridor study.
(George Gaekle, County representative, and Greg Steel, cities' representative, will present an update on the progress of this study which was authorized by AB 971.)

Mr. Steel and Mr. Gaekle reported on the progress of the study.

- c. Slide presentation and comments on trip to Sister City Khmel'nitsky, U.S.S.R., by the Stanislaus State Symphony Orchestra.
(The orchestra received some City funds for support of the trip to the Soviet Union last December. The orchestra would like to acknowledge this contribution and express their appreciation to the City Council.)

Report made by James Klein, Orchestra Director, and slides were shown that were taken on the trip.

MINUTES

CONSENT

2. Approval of the minutes of the regular and special City Council meetings of March 13, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

William Perry spoke about Child Protective Services and Police problems.

UNFINISHED BUSINESS

4. Consider report and recommendation concerning the maintenance and repair of house sewer lines.
(Memo with agenda. Staff recommends no revisions be made to Modesto Municipal Code Section 5-6.13(f). Motion accepting report and recommendation needed.)

ACTION: By motion (Muratore/Irizarry, inan.) this item referred back to staff for further study. (P/W to handle)

5. Consider approving Earth Day April 22, 1990, report detailing City's participation in this event.
(The City is a member of the Global Cities Project - Earth Day, 1990, and is planning various activities that will coincide with the world-wide Earth Day Celebration. Memo with agenda. Motion accepting report and directing staff to proceed with activities needed. Estimated cost: \$885. Funds are budgeted.)

ACTION: By motion (Dobbs/Lang, unan.) report approved and staff directed to continue with activities. (Manager to handle)

CONSENT

6. Consider report regarding school crossing safety.
(Memo with agenda. The City Council has asked staff to review safety measures used in Modesto and elsewhere. This report is that review, with recommendations. Motion accepting report needed.)

ACTION: By motion, report accepted.

HEARINGS

7. Hearing to consider the Chief Building Officials report specifying the work done, itemized and total cost of demolition of a building located at 303-305 Washington Street and to consider any protests or objections.

ACTION: Res. 90-379 adopted (Patterson/Lang, unan.) accepting report. (P/W to handle)

8. Hearing to consider the Chief Building Official's report specifying the work done, itemized and total cost of demolition of a building located at 408 E. Coolidge Avenue.

ACTION: Res. 90-380 adopted (Irizarry/Bird, unan.) accepting report. (P/W to handle)

BIDS

CONSENT

9. Consider approval of plans and specifications and call for bids for the construction of Fire Station No. 9.
(Memo with agenda. Suggested bid opening: April 19, 1990, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$450,686.61 (contract - \$391,901.40; eng. & cont. - \$58,785.21) Funds are budgeted.)

ACTION: Res. 90-381 adopted calling for bids. (P/W to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for McHenry Mansion Restoration Phase III - Installation of electrical and HVAC Systems.
(Memo with agenda. Suggested bid opening: April 5, 1990, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$155,000. (contract - \$141,000; eng. & cont. - \$14,000) Funds are budgeted.)

ACTION: Res. 90-382 adopted calling for bids. (P/W to handle)

CONSENT

11. Consider accepting Collins Electric's contract for traffic signals at Standiford and Sisk and at Standiford and Dale. Original contract: \$118,000.
(Memo with agenda. All work on this project has been completed to the satisfaction of the Public Works and Transportation 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: \$108,576.66. Funds are budgeted.)

ACTION: Res. 90-383 adopted accepting work as complete. (Clerk to handle)

CONSENT

12. Consider accepting Gentz Construction's contract for the Carver Road at M.I.D. Lateral No. 6 Bridge replacement/HBRR BROS-99(50), and consider amending the budget to estimate additional Federal revenue. Original contract: \$162,767.
(Memo with agenda. All work on this project has been completed to the satisfaction of the Public Works and Transportation department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete and resolution amending budget to estimate additional Federal revenue needed. Final cost: \$159,891.79. Funds are budgeted.)

ACTION: Res. 90-384 adopted accepting work as complete.
Res. 90-385 adopted amending budget. (Clerk to handle)

CONSENT

13. Consider accepting Pacific Engineering Construction's contract for water supply for the sludge thickeners at the Water Quality Control Plant. Original contract: \$84,849. (Memo with agenda. All work on this project has been completed to the satisfaction of the Public Works and Transportation 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: \$79,607.32. Funds are budgeted.)

ACTION: Res. 90-386 adopted accepting work as complete. (Clerk to handle)

NEW BUSINESS

Councilmember Lang excused at 6:00 p.m.

14. Consider report regarding water conservation measures within the City of Modesto. (Memo with agenda. Motion directing staff needed.)

ACTION: Res. 90-387 adopted (Patterson/Muratore, unan., Lang absent) approving the proposed water conservation program with copies of the resolution to be sent to other cities in the County that do not have such programs and ask them to assist in saving water, and directing staff to report periodically on the results of the conservation program. (P/W to handle)

CONSENT

15. Consider approving agreement with Clyde O. Braner and Norma R. Braner for the acquisition of 1960+ square feet of right of way from their property for Public Facilities District No. 6 and rescinding Resolution of Necessity No. 90-176. (The Braners have agreed to sell the required right of way for the appraised value of \$7,754. Memo with agenda. Resolution approving agreement and resolution rescinding Resolution of Necessity needed. Funds are budgeted.)

ACTION: Res. 90-388 adopted approving agreement and rescinding resolution. (Attorney to handle)

CONSENT

16. Consider approving agreement with James Carlyle Byles and Aradath Starlene Byles for the acquisition of 1200 square feet of right of way from their property for Public Facilities District No. 6 and rescinding Resolution of Necessity No. 90-175. (The Byles have agreed to sell the required right of way for the appraised value of \$6,102. Memo with agenda. Resolution approving agreement and resolution rescinding Resolution of Necessity needed. Funds are budgeted.)

ACTION: Res. 90-389 adopted approving agreement and rescinding resolution. (Attorney to handle)

CONSENT

17. Consider approving agreement with George G. Margarite and Inez E. Margarite for the acquisition of 3950+ square feet of right of way from their property for Public Facilities District No. 6 and rescinding Resolution of Necessity No. 90-182.
(The Margarites have agreed to sell the required right of way for the appraised value of \$16,851. Memo with agenda. Resolution approving agreement and resolution rescinding Resolution of Necessity needed. Funds are budgeted.)

ACTION: Res. 90-390 adopted approving agreement and rescinding resolution.
(Attorney to handle)

CONSENT

18. Consider excusing Councilmembers Bird and Dobbs for being absent from the March 6, 1990, City Council meeting due to their attendance at a National League of Cities conference, and excusing Mayor Whiteside for being absent from the March 6, 1990, meeting due to her attendance at a meeting of Mayors concerning County fees.
(Motion excusing absences needed.)

ACTION: By motion, absences excused. (Clerk to handle)

19. Consider status report on FAU Funds from Public Projects Committee.
(Memo with agenda. Motion accepting report needed.)

ACTION: By motion (Bird/Dobbs, unan., Lang absent) the report was accepted and recommended projects approved. (P/W to handle)

20. Consider status report and proposed adjustments to the 1989-90 Annual Budget.
(Report with agenda. Resolution amending the 1989-90 budget needed.)

ACTION: Res. 90-391 adopted (Muratore/Irizarry, unan., Lang absent) receipt of report acknowledged, and funds for committed items approved, with the balance of the funds referred to the Council Budget Committee for further consideration. (Finance to handle)

CONSENT

21. Presentation of the Monthly Treasurer's Report for February, 1990.
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

WRITTEN COMMUNICATIONS

CONSENT

22. Letter from Dennis E. Wilson, Chairman of the Downtown Improvement District Advisory Board, requesting approval of a display banner program in the downtown core.
(Memo with agenda. Staff recommends approval. Motion approving request needed.)

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

MISCELLANEOUS

Legislation

CONSENT

23. Staff recommends:

Supporting:

- a. AB 264 (Lancaster) Firefighters Drivers' Licenses
- b. SB 2529 (McCorquodale) Ten-Year Highway Funding Plan - Eligible Interregional Routes
- c. SB 1784 (Leonard) State Transportation Corridor Conservancy
- d. Proposition 111 (June 1990 Ballot) Traffic Congestion Relief and Spending Limitation Act of 1990
- e. Proposition 116 (June 1990 Ballot) Rail Transportation Bond Act (Clean Air & Transportation Improvement Act)
- f. Proposition 108 (June 1990 Ballot) Passenger Rail & Clean Air Bond Act of 1990

Opposing:

- g. AB 17x (Cortese) Redevelopment - Seismic Repairs
- h. AB 4225 (Cannella) Development Fees

(Memo with agenda. Motion accepting recommendation needed.)

ACTION: By motion, recommendations approved. (Manager to handle)

Appointments

CONSENT

24. Consider amending Resolution 90-112 appointing members to the Tuolumne River Regional Park Citizens Committee to correct the appointment of Calvin Moorad to read Bill Moorad.
(Memo with agenda. Resolution amending Resolution 90-112 needed.)

ACTION: Res. 90-392 adopted amending Resolution 90-112. (Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

25. These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 7:15 p.m.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

ARBOR THEATRE
MODESTO CENTRE PLAZA
11th AND K STREETS (enter 11th Street door)
MODESTO, CALIFORNIA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 27, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside
Councilmember Dobbs arrived at 7:55 p.m.

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. John Blakeley, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 7, 8, 8A, 9

ACTION: (Lang/Patterson, unan., Dobbs absent)

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of March 20, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

BIDS

CONSENT

4. Consider award of contract for the construction of Pump Station No. 48 to Conco-West, Inc.
(Bids were opened on March 8, 1990. The low bid of \$86,060, submitted by Conco-West, Inc., is 2.45% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract needed. Estimated cost: \$94,666. (contract - \$86,060; eng. & cont. - \$8,606). Funds are budgeted.)

ACTION: Res. 90-393 adopted awarding contract. (P/W to handle)

CONSENT

5. Consider declaring Country Ford Trucks, Inc., low bidder on and authorize the purchase of one new truck with service crane and utility body for the total price of \$31,993.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 90-394 adopted awarding bid. (Finance to handle)

NEW BUSINESS

6. Consider introduction of two ordinances to add sections to the Modesto Municipal Code for the control of traffic and conduct in cruising areas. (Memo with agenda. Motion introducing two ordinances relating to cruising and loitering in a cruising area needed. Estimated cost: \$4,160. Funds are budgeted.)

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2706-C.S. introduced relating to cruising with fines to be set at \$75 for the first conviction, \$150 for the second, and \$250 for the third.

By motion (Muratore/Lang, unan.) Ord. No. 2707-C.S. introduced relating to loitering with fines to be set at \$75 for the first conviction, \$150 for the second, and \$250 for the third.

(Clerk to handle)

By motion (Muratore/Lang, unan.) staff was requested to report on the results of the new ordinances in six months.

By order of the Chair, staff was requested to report back on possibilities of activities for young people. (P/R to handle)

CONSENT

7. Consider approving agreement with Southern Pacific Transportation Company for the lease of the old Southern Pacific depot building. (Southern Pacific would like to be able to leave their operational people in this building while they are constructing a new facility. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-395 adopted approving agreement. (Atty to handle)

CONSENT

8. Consider approving an agreement with Nora Naraghi for the dedication of 0.211+ acres of right of way from her property for Public Facilities District No. 6; and consider rescinding Resolution of Necessity. (Mrs. Naraghi has agreed to dedicate the required right of way. Memo with agenda. Resolution approving agreement and rescinding Resolution of Necessity needed.)

ACTION: Res. 90-396 adopted approving agreement and rescinding Resolution of Necessity. (P/W to handle)

CONSENT

- 8A. Consider authorizing the hiring of five additional police officers for traffic enforcement and authorizing an appropriation transfer from the contingency reserve of the General Fund to provide the needed financing. (Memo with agenda. Motion authorizing the hiring of five traffic officers and resolution authorizing appropriation transfer needed. Estimated cost: \$110,343.)

ACTION: By motion, hiring of five officers approved.
Res. No. 90-397 adopted approving an appropriation transfer.
(Police/Finance to handle)

MISCELLANEOUS

Legislation

CONSENT

9. Staff recommends support of:

- a. SB 1893 (Ayala) Recycling - Definition of Compost
- b. SB 1998 (Bergeson) Integrated Waste Management Board

(Memos with agenda. Motion accepting recommendation needed.)

ACTION: By motion, recommendations approved. (Manager to handle)


MATTERS TOO LATE FOR THE AGENDA

10. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting was adjourned at 10:44 p.m. to Friday, March 30, 1990, at 8:00 a.m. at the Sundial Restaurant, 806 McHenry Avenue, Modesto, for a meeting with Senator McCorquodale; and then to Tuesday, April 3, 1990, at 2:00 p.m., in the Third Floor Conference Room, City Hall, 801 11th Street, Modesto, for a study session concerning economic development.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned meeting at 8:00 a.m., March 30, 1990, at the Sundial Restaurant, 806 McHenry Avenue, Modesto, California, for a meeting with Senator McCorquodale.

Present: Councilmembers Bird, Dobbs, Irizarry, Muratore, Patterson,
Mayor Whiteside

Absent: Councilmember Lang

There was a general discussion of State legislative items.

The meeting adjourned at 9:35 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned meeting at 2:00 p.m., April 3, 1990, in the Third Floor Conference Room, City Hall, 801 11th Street, Modesto, California, for a study session concerning economic development.

Present: Councilmembers Bird, Dobbs, Lang, Muratore, Patterson, Mayor Whiteside

Councilmember Lang arrived at 2:32 p.m.
Councilmember Bird arrived at 2:35 p.m.
Councilmember Patterson arrived at 3:30 p.m.

Absent: Councilmember Irizarry

Presentations were made by Harlan Westenberg, City of Modesto Economic Development Director; Elaine Cromwell, Chamber of Commerce Economic Development Director; and Bill Carney, Stanislaus County Economic Development Corporation Executive Director; about the status of economic development in Modesto and Stanislaus County.

The meeting adjourned at 3:50 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 3, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Lang, Muratore, Patterson,
Mayor Whiteside

Absent: Councilmember Irizarry

Pledge of allegiance to the Flag

Invocation: Rev. Larry Duncan, Retired, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 9, 10, 11, 12, 13, 14,
15, 16, 17, 18, 19, 20, 21, 22, 23,
24, 25, 26, 27, 28, 29, 30, 31, 32,
33, 34, 35, 36, 37, 38, 39

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

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Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

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1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of March 27, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Mike Materi spoke about cruising, requiring motorcycle and bicycle riders to wear helmets, street sweeping, and crime.

Fred Coyote spoke about the homeless.

UNFINISHED BUSINESS

4. Consider City Council position to LAFCO regarding a proposed Claratina-Coffee Reorganization.
(LAFCO needs to know what the City position is on this annexation proposal. It is LAFCO, not the City Council, that decides whether the proposal proceeds or not. If LAFCO determines the annexation should proceed, the follow-up protest hearing by the City Council is a non-discretionary, ministerial action. Memo with agenda. Resolution approving staff recommendations to oppose the proposed reorganization and transmitting the Council's position to LAFCO needed.)

Councilmember Dobbs excused due to a conflict of interest.

ACTION: Res. 90-398 adopted (Lang/Bird, unan., Dobbs and Irizarry absent) taking the position that services can be provided to the area, and requiring an E.I.R. (Planning & Com. Dev. to handle)

Councilmember Dobbs excused from the meeting at 5:15 p.m.

5. Staff report on assistive listening devices.
(Memo with agenda. Motion acknowledging receipt of report and accepting staff recommendations needed.)

ACTION: By motion (Lang/Muratore, unan., Dobbs and Irizarry absent) staff was directed to see if funding is available through the Community Development Block Grant or some other funding to provide the service, and require something of value from the people using the devices rather than the \$25 deposit. (Parks & Recreation to handle)

6. Final adoption of Ordinance No. 2705-C.S. rezoning from R-1 to P-D(470) to allow C-1 uses, property located on the northwest corner of Carpenter Road and Torrid Avenue (John Hinchey).
(Motion adopting needed.)

ACTION: By motion (Muratore/Bird, unan., Dobbs and Irizarry absent), Ordinance 2705-C.S. adopted. (Clerk to handle)

CONSENT

7. Final adoption of:
a. Ordinance No. 2706-C.S. relating to cruising.
b. Ordinance No. 2707-C.S. relating to loitering.
(Motion adopting needed.)

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

HEARINGS

8. Hearing to consider extension of the interim Resolution No. 90-351 adopting the County of Stanislaus public facilities fees.

ACTION: Res. 90-399 adopted (Patterson/Muratore, unan., Dobbs and Irizarry absent) extending interim Resolution No. 90-351.
(Public Works & Trans. to handle)

CONSENT

9. Hearing to consider revisions to rental rates at Modesto Centre Plaza.
(Memo with agenda. It is recommended that the hearing be continued to April 24, 1990, at 7:30 p.m. Motion continuing hearing needed.)

ACTION: By motion, hearing continued to April 24, 1990, at 7:30 p.m.
(Clerk to handle)

BIDS

CONSENT

10. Consider approval of plans and specifications and call for bids for Sylvan Avenue improvements at Beyer High School. (Suggested bid opening: April 26, 1990, at 11:00 a.m. This project will improve pedestrian safety at Beyer High School. Memo with agenda. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$195,950 (contract -- \$178,140; eng. -- \$17,810) An appropriation transfer will be requested after bids are received and the exact amount is known.)

ACTION: Res. 90-400 adopted approving plans and specifications and calling for bids. (Public Works & Trans. to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for the clubhouse at Modesto Municipal Golf Course. (Suggested bid opening: May 3, 1990, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$534,610. Funds are budgeted.)

ACTION: Res. 90-401 adopted approving plans and specifications and calling for bids. (Public Works & Trans. to handle)

CONSENT

12. Consider approving specifications and authorizing call for bids for three traffic signal controllers. (Suggested bid opening: April 23, 1990, at 11:00 a.m. Requested by the Electrical Division of Public Works and Transportation, the controllers will be replacements at various City locations for controlling traffic signals at these locations. Resolution approving specifications and calling for bids needed. Estimated cost: \$23,500. Funds are budgeted.)

ACTION: Res. 90-402 adopted approving specifications and calling for bids. (Public Works & Trans. to handle)

CONSENT

13. Consider approving specifications and authorizing call for bids for the sale of a 1456+ square foot metal service station building located at 901 Ninth Street. (Suggested bid opening: May 15, 1990, at 10:00 a.m. Memo with agenda. Resolution approving specifications and calling for bids needed. Estimated cost: \$100.00. Funds are budgeted.)

ACTION: Res. 90-403 adopted approving specifications and calling for bids. (Public Works & Trans. to handle)

CONSENT

14. Consider award of contract for the construction of pump station No. 51 to Conco-West, Inc.
(Bids were opened on March 22, 1990. The low bid, submitted by Conco-West, Inc., is 3.51% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract needed. Estimated cost: \$121,000 (contract -- \$110,000; eng. & cont. -- \$11,000). Funds are budgeted.)

ACTION: Res. 90-404 adopted awarding contract.
(Public Works & Trans. to handle)

CONSENT

15. Consider award of contract for the 12th Street subtrunk sewer between B Street and Morton Boulevard to Rolfe Construction Co., and consider approval of appropriation transfer from the Sewer Reserve Fund.
(Bids were opened on March 22, 1990. The low bid, submitted by Conco-West, Inc., is 11.72% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract and resolution approving appropriation transfer needed. Estimated cost: \$91,358 (contract -- \$83,053; eng. & cont. -- \$8,305). Funds are partially budgeted.)

ACTION: Res. 90-405 adopted awarding contract.
Res. 90-406 adopted approving appropriation transfer.
(Public Works & Trans./Finance to handle)

CONSENT

16. Consider declaring West Coast Sound and Light low bidder on and authorize the purchase of lighting and sound services for the total price of \$28,000.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 90-407 adopted authorizing purchase.
(Parks & Recreation to handle)

CONSENT

17. Consider accepting Joe Martin Pipeline, Inc.'s, contract for the Sisk and Pelandale waterline extension. Original contract: \$55,330.
(All work on this project has been completed to the satisfaction of the Public Works and Transportation Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$56,756.16. Funds are budgeted.)

ACTION: Res. 90-408 adopted accepting contract as complete.
(Clerk to handle)

CONSENT

18. Consider waiving formal bid procedures and authorize the purchase of banners from Kelley Display, Inc., for the total cost of \$5,388 to be paid by the Downtown Improvement District and the Downtown Modesto Association..

(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) No City funds are needed.)

ACTION: Res. 90-409 adopted waiving formal bid procedures and authorizing purchase. (Finance to handle)

CONSENT

19. Consider waiving formal bid procedures and authorize the purchase of traffic signal controllers from Signal Control Co. for the total cost of \$18,998.

(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-410 adopted waiving formal bid procedures and authorizing purchase. (Finance to handle)

CONSENT

20. Consider waiving formal bid procedures and authorize the purchase of 27 trucks through the State of California cooperative purchasing contract for a total price of \$335,199.21.

(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-411 adopted waiving formal bid procedures and authorizing purchase. (Finance to handle)

CONSENT

21. Consider waiving formal bid procedures and authorize the purchase of sewer line cleaning services from Simon Sewer Maintenance for the total cost of \$6,563.

(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-412 adopted waiving formal bid procedures and authorizing purchase. (Finance to handle)

CONSENT

22. Consider waiving formal bid procedures and direct the City Manager to enter into a contract with Pacific Learning Institute, Inc., for purchase of training program, "Charting Your Course."
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Estimated cost: \$9,160. Funds are budgeted.)

ACTION: Res. 90-413 adopted waiving formal bid procedures and approving contract. (Manager to handle)

NEW BUSINESS

CONSENT

23. Consider setting a hearing concerning the conflict of interest code for the officers and employees of the Modesto Public Financing Authority.
(Resolution setting hearing April 17, 1990, at 4:00 p.m. needed.)

ACTION: Res. 90-414 adopted setting hearing. (Clerk to handle)

CONSENT

24. Consider setting a public hearing for a proposed amendment to the General Plan to delete a community park from the Yosemite Neighborhood.
(On March 5, 1990, the Planning Commission adopted Resolution No. 90-28 recommending to the City Council an amendment to the General Plan Map to delete a community park in the Yosemite Neighborhood. This is in follow-up to approval of the amendment to the General Plan Map to include Johansen High School and John C. Sutton Community Park in the Empire West Neighborhood. Resolution setting hearing on April 24, 1990, at 7:30 p.m. needed.)

ACTION: Res. 90-415 adopted setting hearing. (Clerk to handle)

CONSENT

25. Consider the following actions relating to the Public Facilities District No. 6:
- a. Resolution approving an agreement regarding reduction of assessment for the Prescott Evangelical Free Church, Parcel 54-44-01
 - b. Resolution amending assessment for Parcel 13-68-39, owned by James C. Byles
 - c. Resolution amending assessment for Parcel 13-82-64, owned by LTL Investors (Merryhill Country School)
- (Memo with agenda. Three resolutions needed. Estimated cost: \$46,338. Funds are budgeted.)

ACTION: Res. 90-416 adopted approving agreement with Prescott Evangelical Free Church.
Res. 90-417 adopted amending assessment on property owned by James C. Byles.
Res. 90-418 adopted amending assessment on property owned by LTL Investors. (Public Works & Trans. to handle)

CONSENT

26. Consider request for water service to property outside City limits located on the south side of Merle Avenue and the east side of Roselle for the proposed 16 acre County shopping center between Merle Avenue and Briggsmore Avenue. Owners: George A. and G. Imogene Nufer (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. 90-419 adopted approving request. (Public Works & Trans. to handle)

CONSENT

27. Consider authorizing City Manager to sign agreement with Bissell & Karn, Inc., for design engineering services for a project to widen the Claus Road Bridge over Dry Creek, and consider approving an appropriation transfer from the Capital Facilities Fees Expressway Loop Reserve Fund. (Memo with agenda. Resolution approving agreement and resolution approving appropriation transfer needed. Estimated cost: \$225,530.)

ACTION: Res. 90-420 adopted approving agreement with Bissell & Karn, Inc.
Res. 90-421 adopted approving appropriation transfer. (Finance to handle)

CONSENT

28. Consider amending the agreement with M.I.D. and Del Este to provide the additional time required for URS Consultants to prepare answers to comments to the draft EIR and site specific botanical studies for the M.I.D. Surface Water Study. (Memo with agenda. Resolution approving an amendment to agreement needed. Estimated cost: \$9,082.96.)

ACTION: Res. 90-422 adopted approving amendment to agreement. (Public Works & Trans. to handle)

CONSENT

29. Consider approval of City's current investment policy, required annually by State law.
(Memo with agenda. Motion approving City's current investment policy needed.)

ACTION: By motion, City's policy approved. (Finance to handle)

CONSENT

30. Consider request for refund of \$1,343.75 for overpayment of Business Improvement Area Tax by Pozzo Construction.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-423 adopted approving refund. (Finance to handle)

CONSENT

31. Consider approving an appropriation transfer to provide funding for two Code Enforcement Officer I positions in the Water Fund.
(Memo with agenda. Resolution approving appropriation transfer needed. Estimated cost: \$12,713.)

ACTION: Res. 90-424 adopted approving appropriation transfer.
(Finance to handle)

CONSENT

32. Consider salary range for Industrial Waste Inspector I.
(Memo with agenda. Resolution amending the Class Range Tables to set the salary for Industrial Waste Inspector I at range 122, and designating Industrial Waste Inspector II, with no change in salary needed.)

ACTION: Res. 90-425 adopted amending Class Range Tables. (Manager to handle)

CONSENT

33. As approved by the voters on November 7, 1989, consider introducing an ordinance amending Sections 8-3.06 and 8-3.08 of the Municipal Code to increase the City Manager's purchasing authority to \$20,000.
(Memo with agenda. Motion introducing ordinance needed.)

ACTION: By motion, Ordinance No. 2708-C.S. introduced amending the Municipal Code. (Clerk to handle)

CONSENT

34. Consider approval of LAFCO Questionnaire indicating no opposition to the Rees-Torrid Reorganization.
(Proponent proposes annexation of 1.06 acres to the City of Modesto and the Modesto Municipal Sewer District No. 1, and simultaneously detaching it from the Woodland Fire Protection District. The site is located on the south side of Torrid Avenue and east of Shasta Avenue. Memo, map and LAFCO questionnaire with agenda. Resolution supporting reorganization needed.)

ACTION: Res. 90-426 adopted supporting reorganization.
(Planning & Com. Dev. to handle)

CONSENT

35. Consider request from The Townsend Opera Players for \$2,500 to support an invitation to perform at a music festival in Gontier, France.
(The Council Ad Hoc Budget Committee recommends the request be denied. Memo with agenda. Motion denying request needed.)

ACTION: By motion, request denied. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

36. Letter from residents on Mable Avenue requesting stop signs and other measures in the area near Stockard Coffee School.
(Motion referring to staff needed.)

ACTION: By motion, letter referred to staff.
(Public Works & Trans. to handle)

CONSENT

37. Letter from Barbarie Boyette, Executive Director of Equality Council for Housing Opportunities of Stanislaus, concerning a "Child Discrimination" ordinance.
(Motion referring to staff for recommendation needed.)

ACTION: By motion, letter referred to staff.
(Planning & Com. Dev. to handle)

CONSENT

38. Letter from Jim Frank, Fourth of July Celebration Committee, concerning assistance with the annual Fourth of July celebration.
(Motion referring to staff for recommendation needed.)

ACTION: By motion, letter referred to staff. (Parks & Recreation to handle)

MISCELLANEOUS

Legislation

CONSENT

39. Staff recommends:

Supporting:

- a. Proposition 120 (June 1990 Ballot) New Prison Construction Bond Act of 1990.
- b. AB 3317 (McClintock) Public Property - Dangerous Conditions

Opposing:

- c. SCA 43 (Davis) Brown Act - Closed Sessions
- d. AB 3458 (Friedman) Attorney Fees - Settlement Offers

(Memo with agenda. Motion accepting recommendations needed.)

ACTION: By motion, recommendations approved. (Manager to handle)

Reports

39A. Mayor and Council Reports

- a. Councilmember Muratore stated that neither he nor any member of his family has any interest or ownership in the "Muratore Subdivision."
- b. Councilmember Dobbs stated that the person named Dobbs who is accused of burning a cross is not a member of his family.

MATTERS TOO LATE FOR THE AGENDA

40. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

CLOSED SESSION

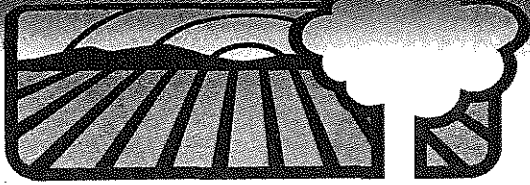
41. Closed session regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, pursuant to Government Code Section 54957.6.

42. Closed session regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, pursuant to Government Code Section 54957.6, and to consider pending litigation pursuant to Government Code Section 54956.9(a) regarding Cudney and Holliday vs. City of Modesto.

ADJOURNMENT

Meeting adjourned to closed session at 5:33 p.m.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session, convened at 10:00 p.m., April 10, 1990, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson,
Mayor Whiteside

Absent: None

The Council adjourned to closed session regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, pursuant to Government Code Section 54957.6, and to consider pending litigation pursuant to Government Code Section 54956.9(a) regarding Cudney and Holliday vs. City of Modesto.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 10, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rick Fritzeimer, Youth for Christ

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 6, 11, 12, 13, 14, 15,
18, 20, 21A, 21, 23

Removed from consent: 17

ACTION: (Lang/Bird, unan.)

CONSENT ITEM - ROLL CALL VOTE REQUIRED: Item 2
(Councilmember Irizarry excused due to his absence from the April 3, 1990,
meeting.)

ACTION: (Patterson/Bird, unan., Irizarry absent)

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A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Presentations by Mayor of Proclamations designating April 7 - 14, 1990, National Community Development Week and April, 1990, Fair Housing Month.

Proclamations prepared by Mayor Whiteside were presented to Bill Hallissey by Vice Mayor Bird and Councilmember Lang.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular City Council meetings of March 30, 1990, and April 3, 1990, and the regular City Council meeting of April 3, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

ACTION: Dennis Smith spoke about Public Facilities District No. 6.
Michael Converse spoke about a tree leaf problem.
Tracee Mawyer spoke about fence damage during alley paving.

UNFINISHED BUSINESS

4. Consider amending Section 2-1.01 of the Modesto Municipal Code relating to Regular City Council meetings.
(Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion (Lang/Bird, unan.) Ord. No. 2709-C.S. introduced.
(Clerk to handle)

5. Consider staff report regarding Glendale Avenue petition for street lights to be installed on Glendale between Parry and El Vista (one block).
(Memo with agenda. Area residents have asked that street lighting be installed on Glendale between Parry and El Vista. Council Police No. 2.001 applies to the residents' request. Motion confirming City Council Policy needed.)

ACTION: By motion (Irizarry/Dobbs, unan.) Council policy reaffirmed and staff directed to report on alternatives. (P/W to handle)

CONSENT

- 6. Final adoption of Ord. No. 2708-C.S. amending the Modesto Municipal Code sections relating to the Central Purchasing System, Formal Contracts. (Motion adopting needed.)

ACTION: By motion, Ord. No. 2708-C.S. adopted. (Clerk to handle)

HEARINGS

- 7. Hearing to consider the vacation and abandonment of Spanos Court east of Coffee Road, north of Briggsmore Avenue.

ACTION: Res. 90-427 adopted (Muratore/Patterson, unan.) abandoning Spanos Court.
 Res. 90-428 adopted (same vote) certifying review of Environmental Assessment. Planning, P/W to handle)

- 8. Hearing to consider the report of the Superintendent of Streets on the costs of residential alley resurfacing in Block 6042, Project. No. 15

BLOCK 6042
ORANGEBURG AVENUE - OAKWOOD DRIVE/DEL VALE AVENUE - CARVER ROAD

Yohannan, Ike W., et ux 1329 Del Vale Avenue \$398.45

ACTION: Res. 90-429 adopted (Lang/Dobbs, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Franklin, Steven E. 1606 Orangeburg Avenue 389.11

ACTION: Res. 90-430 adopted (Lang/Dobbs, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Ayers, Kenneth L. 1610 Oranbeburg Avenue 389.11

ACTION: Res. 90-431 adopted (Lang/Dobbs, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

De Lor, Jean L. S. 1614 Orangeburg Avenue 389.11

Paid - Drop from agenda

Cambra, Mabel, et al 1618 Orangeburg Avenue 389.11

Paid - Drop from agenda

Neumann, Arthur, et ux 1622 Orangeburg Avenue 389.11

Paid - Drop from agenda

Panella, Bernard R.	1626 Orangeburg Avenue	389.11
<u>ACTION:</u>	Res. 90-432 adopted (Lang/Dobbs, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Walker, Edwin J. et ux	1630 Orangeburg Avenue	389.11
<u>ACTION:</u>	Res. 90-433 adopted (Lang/Dobbs, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Loretelli, Roy A.	1634 Orangeburg Avenue	389.11
<u>ACTION:</u>	Res. 90-434 adopted (Lang/Dobbs, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Haverland Barbara	1638 Orangeburg Avenue	389.11
<u>ACTION:</u>	Res. 90-435 adopted (Lang/Dobbs, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Wong, Deck H., et ux	1334 Carver Road	382.34
	Paid - Drop from agenda	
Schorr, Michael S., et ux	1330 Carver Road	568.82
	Paid - Drop from agenda	
Smith, Walter C., et ux	1633 Oakwood Drive	267.65
<u>ACTION:</u>	Res. 90-436 adopted (Lang/Dobbs, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
McGinnis William J., et ux	1629 Oakwood Drive	603.78
	Paid - Drop from agenda	
McGrew, James D., et ux	1625 Oakwood Drive	395.09
<u>ACTION:</u>	Res. 90-437 adopted (Lang/Dobbs, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
Strong, Edith, S. et ux	1621 Oakwood Drive	389.11
<u>ACTION:</u>	Res. 90-438 adopted (Lang/Dobbs, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)
LaBrake, Phyllis	1617 Oakwood Drive	389.11
<u>ACTION:</u>	Res. 90-439 adopted (Lang/Dobbs, unan.) confirming report, assessing costs, directing method of payment.	(Finance to handle)

Harper, Donald J., et ux 1613 Oakwood Drive 389.11

ACTION: Res. 90-440 adopted (Lang/Dobbs, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Heller, Clifford Frank, et ux 1609 Oakwood Drive 389.11

ACTION: Res. 90-441 adopted (Lang/Dobbs, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Gaertner, George W., et ux 1605 Oakwood Drive 389.11

 Paid - Drop from agenda

Abraham, Wilson, et ux 1325 Del Vale Avenue 382.28

ACTION: Res. 90-442 adopted (Lang/Dobbs, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

9. Hearing to consider the appeal of Phillip D. Overholtzer, Inc. to a Planning Commission decision denying an application for an amendment to Section 16-3-9 of the Zoning Map to rezone from R-1 to P-D for a combination commercial and business/professional offices subdivision property located on the south side of Floyd Avenue west of Coffee Road. (A letter has been received from Troy Wright, Mid-Valley Engineering, requesting that this hearing be continued to April 24, 1990, at 7:30 p.m.)

 This item taken up before item 1.

ACTION: By motion (Dobbs/Bird, unan.) hearing continued to April 24, 1990, at 7:30 p.m. (Clerk to handle)

10. Hearing to consider an amendment to P-D(368) to allow condominium development of the approved office portions of the P-D, property located along the Tully Road Frontage south of West Roseburg Avenue. (Overholtzer Construction)

ACTION: By motion (Muratore/Dobbs, unan.) Ord. No. 2710-C.S. introduced.
 Res. 90-443 adopted (same vote) approving plan.
 Res. 90-444 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

11. Consider approving specifications and authorizing call for bids to be opened April 30, 1990, at 11:00 a.m. for furnishing six Police motorcycles.

(Requested by the Service Division of Public Works, one motorcycle will be a replacement; five will be additional units. The motorcycles will be used by the Police Department for traffic patrol. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$43,200; funds are budgeted.)

ACTION: Res. 90-445 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for the installation of 1.3 million gallon steel tank water reservoir.

(Suggested bid opening: May 3, 1990, at 11:05 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed, and resolution certifying review of the environment assessment needed. Estimated cost: \$485,000 (contract \$445,000; engineering \$40,000). Funds are budgeted.)

ACTION: Res. 90-446 adopted calling for bids.
Res. 90-447 adopted certifying review of Environmental Assessment.
(P/W to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for reroofing the Senior Citizens Center.

(Suggested bid opening: May 3, 1990, at 11:05 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$24,420 (contract \$24,520; engineering \$2,220). Funds are budgeted.)

ACTION: Res. 90-448 adopted calling for bids. (P/W to handle)

CONSENT

14. Consider acceptance of Tri-Technic's contract for installing the 800 amp tie-in at the Water Quality Control Plant. (Original contract: \$30,170) (All work on this project has been completed to the satisfaction of the Public Works and Transportation Department. It is therefore recommended that the contract be accepted as complete and the Notice of Completion filed. Memo with agenda. Resolution accepting contract as complete needed. Final cost: \$33,657.72. Funds are budgeted.)

ACTION: Res. 90-449 adopted accepting as complete. (Clerk to handle)

CONSENT

15. Consider declaring Dow Hammond low bidder and authorize the purchase of one new vactor truck for the total price of \$153,159.38.

(Memorandum with agenda. Resolution accepting the bid of Dow Hammond needed.. Funds are budgeted.)

ACTION: Res. 90-450 adopted awarding bid. (Finance to handle)
WPCC140 6 4-10-90

NEW BUSINESS

16. Consider declaring April 16 through 20, 1990, as Earth Week, and April 22 as Earth Day in Modesto.
(Memo with agenda. Resolution declaring April 16-22 as Earth Week and April 22 as Earth Day in Modesto needed.)

ACTION: Res. 90-451 adopted (Patterson/Irizarry, unan.) declaring April 16-22, 1990, as Earth Wee, and April 22 as Earth Day in Modesto.
(P/W to handle)

17. Consider the final environmental impact report for the Modesto Surface Water Treatment Plant.
(Memo with agenda. Motion accepting and approving report needed.)

ACTION: By motion (Muratore/Lang, unan.) report was accepted and approved.
(P/W to handle)

CONSENT

18. Consider an ordinance amending the Modesto Municipal Code sections relating to the use of water and rescinding Res. 90-387.
(Memo with agenda. Introduction of ordinance and resolution rescinding Res. 90-387 needed.)

ACTION: By motion, Ord. No. 2711-C.S. introduced.
Res. 90-451A adopted rescinding Res. 90-387. (Clerk to handle)
There was a discussion of the various points of the ordinance.
(Clerk to handle)

19. Consider report on the replacement of the City's Utility Billing system, and consider waiving formal bid procedures and authorize the purchase of computer hardware and operating system softward.
(Report with agenda. Motion accepting report; resolution waiving formal bid procedures and authorizing purchase of computer hardware and operating system software from IBM or computer remarketers, whichever is lowest in price (not to exceed \$414,362 based on quote from IBM) (five affirmative votes needed); two resolutions approving agreements with DeLoitte & Touche and Computer Systems and Applications, Inc., for purchase and implementation of CUBIS software; and resolution amending 1989-90 annual budget to provide financing for the Utility Billing System needed. Estimated cost: \$677,362.)

ACTION: Motion to approve (Lang/Muratore), was postponed by motion to postpone definitely (Bird/Irizarry, majority, Lang-no) to Council meeting of April 17, 1990.

CONSENT

20. Consider approval of a submission of a non-motorized transportation claim to the Stanislaus Area Association of Governments (SAAG) for Phase 2 of the Hetch Hetchy Bicycle Path.

(Memo with agenda. Phase 2 extends the off-road trail system from Prescott Road to Tully Road. Resolution approving request for funding from SAAG for non-motorized portion of Local Transportation Funds. Estimated cost: (\$114,073) SAAG \$50,841; City \$58,450 - \$63,233; Hetch Hetchy \$4,783.

ACTION: Res. 90-452 adopted approving claim. (Planning to handle)

CONSENT

21. Consider declaring as surplus and authorize the sale of surplus, lost, stolen, unclaimed and/or seized property accumulated by the City at a public auction to be conducted by Roger Ernst and Associates on May 5, 1990, or by sealed bid.

(Memo with agenda. Resolution declaring property as surplus and authorizing public auction needed.)

ACTION: Res. 90-453 adopted authorizing public auction.

CONSENT

21A. Consider acceptance of improvements in Southgate Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Turner Edwards Development (Southgate Subdivision is located at the northwest corner of Rouse Avenue and Luck Drive. All improvements have been completed to the satisfaction of the Public Works and Transportation Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 90-456 adopted accepting as complete. (P/W to handle)

WRITTEN COMMUNICATIONS

22. Letter from Diana Wiegand regarding a traffic light or crossing guard for Shackelford School students crossing Crows Landing Road.

ACTION: By motion (Lang/Patterson, unan.) item 22 taken up after item 16.

Mayor Whiteside will send a letter to the County and School District asking both agencies to work with the City on solving the problem.

MISCELLANEOUS

Legislation

CONSENT

23. Staff recommends:

Support:

- a. Proposition 122 (June 1990 Ballot. Earthquake Safety and Public Buildings Rehabilitation Act of 1990.
- b. Measure Z (June 1990 Ballot) State Guideway Minimum Funds
- c. SB 1770 (McCorquodale) San Joaquin Valley Air Quality Management District.

(Memo with agenda. Motion approving recommendations needed.)

ACTION: By motion, recommendations approved. (Manager to handle)

Appointments

24. Consider appointment to the Economic Development Loan Pool Subcommittee.

ACTION: Res. 90-455 adopted (Irizarry/Lang, unan.) appointing Sylvester Aguilar. (Clerk to handle)

REPORTS

24A. Mayor and Council Reports

- a. Mayor Whiteside reminded citizens that this is the last Tuesday before income tax reports are due and reminded everyone to return census forms.
- b. Councilmember Muratore reported a ground breaking ceremony was held at the new golf course site today, and reminded the public that today is the deadline for paying property taxes.

MATTERS TOO LATE FOR THE AGENDA

25. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 9:50 p.m. to Thursday, April 12, 1990, at 7:30 p.m. in the M.I.D. Board Room, 1231 11th Street, Modesto, California, for a report on Modesto's Water Treatment Program Pilot Plant Study by James M. Montgomery.

ATTEST: Norrine Coyle
NORRINE COYLE City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 7:00 a.m., December 12, 1990, in the Red Lion Inn, Ninth and K Streets, Modesto, California, for a meeting concerning growth management.

Present: Councilmembers Bird, Dobbs, Irizarry, Muratore, Patterson, Mayor Whiteside

Councilmember Patterson arrived at 7:30 a.m.

Absent: Councilmember Lang

There was a general discussion about growth management. Douglas Wheeler with The Conservation Foundation said his organization functions as a facilitator, bringing together various groups in a community, presenting options, and assisting the groups to reach a consensus on growth issues.

The meeting adjourned at 8:05 a.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 7:00 a.m., April 12, 1990, in the Red Lion Inn, Ninth and K Streets, Modesto, California, for a meeting concerning growth management.

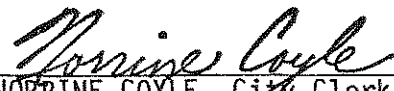
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Absent: Councilmember Lang

There was a general discussion about growth management. Douglas Wheeler with The Conservation Foundation said his organization functions as a facilitator, bringing together various groups in a community, presenting options, and assisting the groups to reach a consensus on growth issues.

The meeting adjourned at 8:05 a.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned session at 7:30 p.m., April 12, 1990, in the Modesto Irrigation District Board Room, 1231 Eleventh Street, Modesto, California, to discuss the Modesto surface water treatment study.

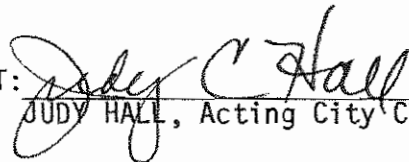
Present: Councilmembers Dobbs, Irizarry, Muratore, Patterson, Acting Mayor Bird

Absent: Councilmembers: Lang, Mayor Whiteside

A report on the Modesto water treatment program pilot plant study was made by representatives of James M. Montgomery, Consulting Engineers.

The meeting adjourned at 9:15 p.m.

ATTEST:


JUDY HALL, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 17, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang,
Patterson, Mayor Whiteside

Absent: Muratore

Pledge of allegiance to the Flag

Invocation: Rev. Dwight Horton, Free Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 8, 9, 13, 15, 16, 17,
18, 19, 20, 23

Removed from consent: 7

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

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Item 21 (Councilmember Bird excused
due to a conflict of interest.)

ACTION: (Irizarry/Dobbs, unan., Bird & Muratore absent)

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Congratulations to the Modesto Branch of the Salvation Army Corp. on its centennial.
(Resolution congratulating Modesto Salvation Army Corps for 100 years of service needed.)

ACTION: Res. 90-456 adopted (Bird/Dobbs, unan., Muratore absent) offering congratulations.

Mayor Whiteside introduced Adriana Garza, Assistant to the City Manager.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of April 10, 1990, and the special City Council meeting of April 12, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons ;in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

4. Consider accepting annual "Modesto Recycles!" Report.
(Memo with agenda. Motion accepting report needed.)

ACTION: By motion (Irizarry/Lang, unan., Muratore absent) report accepted.

5. Monthly status report regarding City Council goals and objectives.
(Memo with agenda. Motion accepting report needed.)

ACTION: By motion (Irizarry/Lang, unan., Muratore) report accepted.

6. Consider report on the replacement of the City's Utility Billing system, and consider waiving formal bid procedures and authorize the purchase of computer hardware and operating system software. (At the April 10, 1990, City Council meeting, a motion to approve (Lang/Muratore) was tabled for one week. Motion accepting report; resolution waiving formal bid procedures and authorizing purchase of computer hardware and operating system software from IBM or computer remarketers, whichever is lowest in price (not to exceed \$414,362 based on quote from IBM) (five affirmative votes needed); two resolutions approving agreements with DeLoitte & Touche and Computer Systems and Applications, Inc., for purchase and implementation of CUBIS software; and resolution amending 1989-90 annual budget to provide financing for the Utility Billing System needed. Estimated cost: \$677,362.)

ACTION: By motion (Dobbs, Irizarry, unan., Muratore absent) report accepted.
Res. 90-457 adopted (same vote) waiving formal bid procedures.
Res. 90-458 adopted (same vote) approving agreement with DeLoitte & Touche.
Res. 90-459 adopted (same vote) approving agreement with Computer Systems and Applications, Inc.
Res. 90-460 adopted (same vote) amending 1989-90 annual budget. (Finance to handle)

7. Consider approval of additional services from ROMA Design Group, Village 1.
(Memo with agenda. ROMA Design Group has a fixed price agreement with the City. Two items go beyond the scope of service of the agreement, however: \$4,810 for consultant services at a Planning Commission retreat, March 23-25; and \$16,445 for graphics for a Village 1 flyer, Village Center design guidelines, and a 1" = 200' illustrative plan. Resolution amending budget to provide additional financing needed. Estimated cost: \$21,255.)

ACTION: Res. 90-461 adopted (Dobbs/Lang, unan., Muratore absent) amending budget. (Planning/Finance to handle)

CONSENT

8. Final adoption of:
- a. Ord. No. 2709-C.S. amending the Modesto Municipal Code section concerning City Council meeting times.
 - b. Ord. No. 2710-C.S. amending P-D(368) to allow condominium development of office portions of the P-D, property located along the Tully Road frontage south of West Roseburg Avenue. (Overholtzer Construction)
 - c. Ord. No. 2711-C.S. amending the Modesto Municipal Code sections relating to the use of water. (Motion adopting needed.)

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

CONSENT

9. Consider five resolutions regarding Public Facilities District No. 6, Widen Major Streets: Coffee, Oakdale and Prescott Roads. (The resolutions pertain to the issuance of bonds for the assessments remaining unpaid. Memo with agenda. Estimated cost: \$1,203,074. Funds are budgeted.)

ACTION: Res. 90-462 adopted determining assessments remaining unpaid.
Res. 90-463 adopted approving preliminary official statement.
Res. 90-464 adopted authorizing issuance of bonds.
Res. 90-465 adopted approving notice of sale and calling for bond bids.
Res. 90-466 adopted ordering change of proceedings without notice or hearing. (P/W to handle)

HEARINGS

10. Hearing to consider an amendment to Section 7-3-9 of the Zoning Map to rezone from R-1 to P-D(472), property located on the south side of Standiford Avenue opposite Longbridge Drive. (Phillip Overholtzer, Inc.)

ACTION: By motion (Lang/Patterson, unan., Muratore absent) Ord. No. 2712-C.S. introduced approving.
Res. 90-467 adopted (same vote) approving plan.
Res. 90-468 adopted (same vote) certifying review of Environmental Assessment. (Planning/Clerk to handle)

11. Hearing to consider an appeal by Mid-Valley Engineering, on behalf of Joyce Stark, to a Planning Commission decision regarding an application to rezone from C-2 and R-1 to P-D for an equipment rental operation on the north side of Yosemite Boulevard west of San Juan Drive.
(Mid-Valley Engineering is requesting that this hearing be continued to May 8, 1990, at 7:30 p.m.)

ACTION: By motion (Patterson/Dobbs, unan., Muratore absent) hearing continued to May 8, 1990. (Clerk to handle)

12. Hearing to consider a conflict of interest code for the officers and employees of the Modesto Public Financing Authority.

ACTION: Res. 90-469 adopted (Bird/Dobbs, unan., Muratore absent) adopting conflict of interest code. (Clerk to handle)

BIDS

CONSENT

13. Consider award of contract for the construction of Airport Project No. 3-06-0153-08 & 10, installation of runway distance remaining signs, installation of paved shoulders and gutter, installation of exit Taxiway E including lighting and marking, and removing existing striping, overlaying with porous friction course and restriping Runway 28R-10L.)
(Bids were opened on March 22, 1990. The low bid of \$280,662.70, submitted by Granite Construction Co., is 15.72% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Granite Construction. Resolution awarding contract and resolution amending the budget to provide financing needed. Estimated cost: \$308,729 (contract - \$280,663; eng. & cont. - \$28,066) Funds are partially budgeted.)

ACTION: Res. 90-470 adopted awarding contract.
Res. 90-471 adopted amending the budget. (P/W, Clerk to handle)

NEW BUSINESS

CONSENT

15. Consider recommendation that site #2 be recommended as preferable for the proposed West Side Post Office.
(Memo with agenda. On March 19, 1990, the Planning Commission adopted Resolution No. 90-34 recommending that the City Council recommend to the U. S. Postal Service that site #2 be the preferred site for the West Side Post Office. Resolution approving recommendation needed.)

ACTION: Res. 90-472 adopted approving recommendation.
(Planning to handle)

CONSENT

16. Consider authorizing the City Manager to sign a Landscape Design Agreement with Recreation Systems, Inc., for the preparation of the Master Plan for Aqueduct Neighborhood Park.
(Memo with agenda. Resolution approving agreement needed.
Estimated cost: \$6,700. Funds are budgeted.)

ACTION: Res. 90-473 adopted approving agreement. (P/R to handle)

CONSENT

17. Consider report on requests for funding under the 1990-91 Community Development Block Grant (CDBG) Application.
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

18. Consider authorizing the City Manager to submit an application to the U. S. Department of Housing and Urban Development for \$67,000 for the Rental Rehabilitation Program for the City's Housing Program Office for 1990-91.
(Memo with agenda. Resolution authorizing City Manager to submit application needed.)

ACTION: Res. 90-474 adopted approving submission of application.
(Planning to handle)

CONSENT

19. Consider City Transportation Committee recommendations on transit.
(Memo with agenda. The Committee recommends accepting the UMTA 13(c) agreement issued by the Department of Labor and request proposals for a new bus bench franchise to replace the one which expires on December 31, 1990. Motion accepting Committee recommendation and resolution authorizing request for proposals needed.)

ACTION: Res. 90-475 adopted authorizing request for proposals.
(P/W to handle)

CONSENT

20. Presentation of monthly Treasurer's Report for March, 1990.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

Councilmember Bird excused due to conflict of interest.

CONSENT

21. Consider approving an amendment to the "Scope of Work" for the College West E.I.R.
(Amendments to the agreements between the City and Resource Development and the City and Michael Clayton and Associates are needed to cover the additional cost of preparing the College West E.I.R. Resolutions approving amendments to the agreements needed. No cost to City.)

ACTION: Res. 90-476 adopted (Irizarry/Dobbs, unan., Bird and Muratore absent) approving agreement with Resource Development.
Res. 90-477 adopted (Irizarry/Dobbs, unan., Bird and Muratore absent) approving agreement with Michael Clayton and Associates.
(Planning to handle)

WRITTEN COMMUNICATIONS

22. Letter from Mr. Mack Wilson concerning the Police Department, curbs and gutters, speed limit signs, recreational facilities and parks.

ACTION: By motion (Bird/Lang, unan., Muratore absent) upon request of Mr. Wilson, this item continued to April 24, 1990.

MISCELLANEOUS

Legislation

CONSENT

23. Staff recommends:

Supporting:

- a. AB 3305 (Leslie) Cellular Telephone Facilities - Local Regulation
- b. SB 1862 (McCorquodale) Crimes - Trespass

Opposing:

- c. AB 3341 (Calderon) Cable Television - Commission to Assist Local Government

(Memo with agenda. Motion accepting recommendations needed.)

ACTION: By motion, recommendations accepted.

Reports

24. Report by Mayor and Council

Considered with Item 5

MATTERS TOO LATE FOR THE AGENDA

25. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

CLOSED SESSION

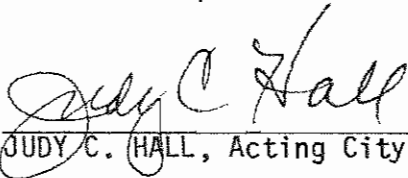
26. Closed session to discuss pending litigation, City of Modesto vs. Kennedy/Jenks/Chilton, pursuant to Government Code Section 54956.9(c).

27. Closed session to discuss pending litigation concerning the Dennis Smith property in Public Facilities District No. 6, pursuant to Government Code Section 54956.9(c).

ADJOURNMENT

The meeting adjourned to closed session at 5:39 p.m.

ATTEST:


JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 24, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Paul Miles, Sherwood Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 1, 2, 4, 5, 9, 10, 11, 13, 14,
17

ACTION: (Lang/Muratore, unan.)

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Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

CONSENT

Post-Newsweek Cable report of an historical first-time "Glasnost & Agriculture" tour of the U.S.S.R. beginning May 19, 1990, being sponsored by the Stanislaus County Farm Bureau's Young Farmers and Ranchers Committee which will be documented on videotape by Narcisco B. Garcia, Television Producer/Public Access Coordinator.
(Copy of public information release with agenda.)

No action taken.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular City Council meeting of April 12, 1990, and the regular City Council meeting of April 17, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

CONSENT

4. Consider amending the City Budget for the 1989-90 fiscal year, as approved by Council March 20, 1990, and referred to the Council Budget Committee for final recommendation.
(Report with agenda. Resolution amending 1989-90 Budget needed.)

ACTION: Res. 90-478 adopted amending budget. (Finance to handle)

CONSENT

5. Final adoption of Ord. No. 2712-C.S. rezoning from R-1 to P-D(472), property located on the south side of Standiford Avenue opposite Longbridge Drive (Phillip D. Overholtzer, Inc.).
(Motion adopting needed.)

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

HEARINGS

6. Hearing concerning a proposed amendment to the General Plan to delete a community park from the Yosemite Neighborhood.

ACTION: Res. 90-479 adopted (Patterson/Bird, unan.) amending the General Plan.
Res. 90-480 adopted (Patterson/Bird, unan.) certifying review of Environmental Assessment.

(Planning to handle)

7. Hearing to consider the appeal of Phillip D. Overholtzer, Inc. to a Planning Commission decision denying an application for an amendment to Section 16-3-9 of the Zoning Map to rezone from R-1 to P-D for a combination commercial and business/professional offices condominium development, and a vesting tentative map of Floyd Professional offices subdivision, property located on the south side of Floyd Avenue west of Coffee Road.

(Continued from April 10, 1990, City Council meeting.)

ACTION: By motion (Lang/Muratore, majority, Dobbs, Irizarry, Whiteside - no) Ord. 2713-C.S. introduced granting the appeal.
Res. 90-481 adopted (same vote) granting the appeal.
Res. 90-482 adopted (same vote) approving vesting tentative map of Floyd Professional Offices Subdivision.
Res. 90-482A adopted (same vote) certifying review of Environmental Assessment.

(Clerk to handle)

8. Hearing to consider revisions to rental rates at Modesto Centre Plaza.
(Continued from April 3, 1990, City Council meeting.)

ACTION: Motion to approve (Lang/Muratore) tabled by a motion to consider (Bird/Patterson, unan.) after May 11, 1990, 9:30 a.m. meeting, returning to Council's 5/22/90 meeting.

(P/R to handle)

BIDS

CONSENT

9. Consider declaring H.V. Carter low bidder on one triplex greens mower for the total price of \$17,425 and declaring Duke Equipment low bidder meeting specifications on one three-gang mower for the total price of \$25,684.

(Memo with agenda. Resolutions declaring low bidders and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 90-483 adopted awarding bid to H.V. Carter.
Res. 90-484 adopted awarding bid to Duke Equipment.

(Finance to handle)

CONSENT

10. Consider awarding bid for purchase of a trash compactor for the Corporation Yard in the amount of \$17,063.67 to Modesto Disposal Service, and authorizing an appropriation transfer in the amount of \$7,100. (Memo with agenda. Resolution awarding bid to Modesto Disposal Service needed and resolution authorizing appropriation transfer needed.)

ACTION: Res. 90-485 adopted awarding bid to Modesto Disposal Service.
Res. 90-486 adopted approving appropriation transfer.
(Finance to handle)

CONSENT

11. Consider waiving formal bid procedures and authorizing issuance of purchase order to Kirkes Electrical for installing an electrical panel at the Crocker Building and consider amending budget to provide funding for a new C.I.P. project. (Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed (five affirmative votes needed), and resolution approving budget amendment needed.)

ACTION: Res. 90-487 adopted waiving formal bid procedure.
Res. 90-488 adopted amending budget.
(P/W to handle)

NEW BUSINESS

12. Consider supporting Human Relations Commission recommended intervention policy/procedure for hate crime incidents. (Memo with agenda. Resolution supporting the proposed policy needed.)

No action taken.

Councilmember Dobbs excused at 9:30 p.m.

CONSENT

13. Consider excusing Councilmember Muratore from the City Council meeting of April 17, 1990, due to his attendance at California Association of Councils of Governments Conference. (Motion excusing needed.)

ACTION: By motion, Councilmember Muratore excused.

CONSENT

14. Consider commending the Modesto Police Reserves for their contribution to the community welfare and safety. (Forty-four police reserves donated a total of 17,600 hours to the City during 1989. Resolution commending Modesto Police Reserves needed.)

ACTION: Res. 90-489 adopted commending Police Reserves.

WRITTEN COMMUNICATIONS

15. Letter from Mr. Mack Wilson concerning the Police Department, curbs and gutters, speed limit signs, recreational facilities and parks.
(Continued from April 17, 1990, City Council meeting.)

Mr. Mack Wilson talked about various concerns on the West side.
Staff to look at problems under City's jurisdiction.

16. Letter from Barbarie Boyette, Executive Director of Equality Council for Housing Opportunities of Stanislaus, requesting funding in the amount of \$40,000 for 1990-91.

ACTION: By motion (Lang/Bird, unan., Dobbs absent) request acknowledged.

MISCELLANEOUS

Legislation

CONSENT

17. Staff recommends opposing SB 2656 (Watson) Transient Occupancy Tax.
(Memo with agenda. Motion accepting recommendation needed.)

ACTION: By motion, recommendation accepted.

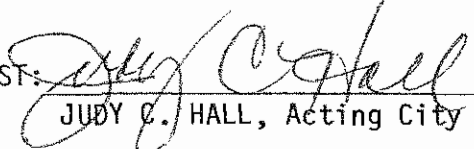
MATTERS TOO LATE FOR THE AGENDA

18. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

Councilmember Muratore mentioned possibility of contest to name golf course.

ADJOURNMENT

The meeting adjourned at 10:30 p.m. to Monday, April 30, 1990, at 7:30 p.m. in the Arbor Theater, Centre Plaza, 1000 L Street, Modesto, California, for a joint meeting with the Planning Commission to discuss Village I, and then to Tuesday, May 1, 1990, at 2:00 p.m. in the Third Floor Conference Room, City Hall, 801 11th Street, for a study session on the acquisition, development and funding of parks.

ATTEST: 
JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned session at 7:30 p.m., April 30, 1990, in the Arbor Theater, Centre Plaza, 1000 L Street, Modesto, California, for a meeting with the Modesto Planning Commission.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson, Mayor Whiteside

Absent: None

Present: Commissioners Alexander, Fisher, Gallagher, Grover, Martin, Smith, Chairperson Dunbar

Absent: None

Mayor Whiteside opened the meeting and explained the process that would be followed during the study session. She then introduced Planning Commission Chairperson Dunbar who reviewed the history of the Villages concept and the Village One plan to be discussed at this meeting.

The consultants explained the various aspects of the "Draft Village One Specific Plan" and the "Draft Modesto Village One Financing Plan." After Council and Commission members asked questions and made comments, members of the public Lew Mayhew, Ron Earl, Daniel Marsh, Stewart Bradley, Bob Jackson and Garret Marsh spoke.

The meeting adjourned at 10:20 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned session at 2:00 p.m., May 1, 1990, in the Third Floor Conference Room, City Hall, Modesto, California, for a study session.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Mayor Whiteside

Mayor Whiteside excused at 3:15 p.m.
Councilmember Dobbs arrived at 3:15 p.m.

Absent: Councilmember Patterson

Parks & Recreation Director Mary Grogan displayed maps showing the locations of parks, multipurpose buildings, and other recreational facilities throughout the city, and discussed development and financing of parks.

The meeting adjourned at 3:50 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 1, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. John Baker, Central Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 12, 13, 14, 15, 16,
17, 18, 19, 20, 21

Removed from consent: 11
ACTION: (Dobbs/Lang, unan.)

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1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Proclamation that the first weekend in May is M.J.C. Renaissance Faire Weekend.

The Mayor presented proclamation to Jeff Kramer and Nicole Machado from Modesto Junior College.

Ed Walker introduced Ed von Borstel, new Deputy Director of the Transportation Division of Public Works.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of April 24, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

4. Staff report and recommendations for City assistance to the Stanislaus County Fourth of July Celebration Committee.
(Memo with agenda. Motion acknowledging oral report and accepting recommendations needed.)

ACTION: A motion (Lang/Dobbs, Bird, Irizarry, Patterson, Whiteside-no) to approve the staff recommendation except the allocation would be \$10,000 failed to carry.

By motion (Bird/Whiteside, majority, Dobbs, Lang, Muratore-no) the staff recommendations were approved, with City officials to request the County to contribute toward the celebration.

(P/R and Manager to handle)

HEARINGS

5. Hearing to consider extension of the interim Resolution No. 90-351 adopting the County of Stanislaus public facilities fees.

ACTION: Res. 90-490 adopted (Muratore/Lang, unan.) approving and directing that a letter be sent from the Council to the County expressing concern about development. (P/W and Atty to handle)

6. Hearing to consider revising fees for issuance of transportation permits for oversized or overloaded vehicles as required by State Assembly Bill 1849.

ACTION: Res. 90-491 adopted (Irizarry/Bird, unan.) approving fees. (P/W to handle)

7. Hearing to consider an amendment to Section 21-3-9 of the Zoning Map to rezone from R-1 to P-D(473) property located on the north side of East Orangeburg Avenue west of Sunrise Avenue. (Dennis Hobby)

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2714-C.S. introduced.
Res. 90-492 adopted (same vote) approving plan.
Res. 90-493 adopted (same vote) certifying review of Environmental Assessment.
By motion (Dobbs/Irizarry, unan.) staff asked to look at condition 16 for possible amendment in future applications.
(Clerk/Planning/Atty to handle)

BIDS

CONSENT

8. Consider rejecting bids, waiving formal bid procedures and awarding contract for electrical work on the McHenry Mansion Restoration - Electrical Work to Bowden Electric, Inc.
(Memo with agenda. Resolution rejecting bids needed, and resolution waiving formal bid procedures (five affirmative votes needed) and awarding contract to Bowden Electric needed. Estimated cost: \$117,415 (contract \$102,200; eng. & cont. \$15,315). Funds are budgeted.)

ACTION: Res. 90-494 adopted rejecting bids.
Res. 90-495 adopted waiving formal bid and authorizing issuance of a contract to Bowden Electric. (P/R to handle)

NEW BUSINESS

9. Consideration of dates for review of the 1990-91 Proposed Operating Budget and the Four-Year Capital Improvement Program.
(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Lang/Muratore, unan.) approving review sessions on May 17 from 3:00 - 5:00 p.m., May 21, 23, 24 and 29 from 4:00 -6:00 p.m., and June 5 at 7:30 p.m. (Finance to handle)

10. Consider recommendations of City Council Golf Advisory Committee regarding revisions to rates for City golf courses to eliminate surcharges for play.
(Memo with agenda. Resolution revising rates needed.)

ACTION: Res. 90-496 adopted (Dobbs/Muratore, unan.) revising rates. (P/R to handle)

11. Consider approval of the Communities Assignment Agreement, the Certificate of Participation Purchase Agreement, Rebate Instructions and Amendment No. 2 to the Amended and Restated Service Agreement for the Supply and Acceptance of Solid Waste among Stanislaus Waste Energy Company, the City of Modesto and the County of Stanislaus.
(Memo with agenda. One resolution approving agreements needed.)

ACTION: Res. 90-497 adopted (Lang/Patterson, unan.) approving agreements. (P/W to handle)

CONSENT

12. Consider request of Ruddy and Sutter for variance to the Downtown Exposed Aggregate Sidewalk Standard at "K" and 13th Streets. (1300 "K" Street)
(Memo with agenda. Resolution authorizing variance needed.)

ACTION: Res. 90-498 adopted authorizing variance. (P/W to handle)

CONSENT

13. Consider approval of the final map of English Meadows subdivision of the City of Modesto and consider accepting improvements. (Subdivider: Bryan and Rita M. Grimes)
(All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. English Meadows is located between Harris Avenue and Ritsch Lane, south of Chicago Avenue. Memo with agenda. It contains 2.42 acres. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 90-499 adopted approving final map. (Clerk to handle)

CONSENT

14. Consider approval of the final map of Fairmont Court subdivision of the City of Modesto and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code. (Owner: Gary D. Fant)
(the subdivision agreement has been signed and all fees paid. Fairmont Court subdivision is located between East Fairmont Avenue and Corson Avenue, east of Melrose Avenue. Memo with agenda. It contains 1.47 acres. Resolution approving final map needed.)

ACTION: Res. 90-500 adopted approving final map. (Clerk to handle)

CONSENT

15. Consider approving agreement with Richard L. Marks for contract subdivision inspection services.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$35,000. Funds are budgeted.)

ACTION: Res. 90-501 adopted approving agreement. (P/W to handle)

CONSENT

16. Consider approving agreement with Donald R. Gonsalves and Genevieve Ahles, Trustee, for the acquisition of 0.137+ acres of right of way from their property for Public Facilities District No. 6, and consider rescinding Resolution of Necessity.
(Memo with agenda. Resolution approving agreement and rescinding Resolution of Necessity needed. Estimated cost: \$14,051. Funds are budgeted.)

ACTION: Res. 90-502 adopted approving agreement. (P/W to handle)

CONSENT

17. Consider approving agreement with Pauline, Louis and Judy Israels and Louis Israels, Trustee, for the acquisition of 3260+ square feet of right of way from their property for Public Facilities District No. 6, and consider rescinding Resolution of Necessity.
(Memo with agenda. Resolution approving agreement and rescinding Resolution of Necessity needed. Estimated cost: \$11,340. Funds are budgeted.)

ACTION: Res. 90-503 adopted approving agreement. (P/W to handle)

CONSENT

18. Consider approving two agreements with Larry A. and Patricia L. Askew and David and Sandra Mesenhimer dba Modesto Flight Center.
(Modesto Flight Center leases a portion of Hangar No. 1 and four tie-downs in one lease and office building No. 1, hangar No. 5, and tie-downs in a separate lease at the Airport. Memo with agenda. Resolutions approving agreements needed.)

ACTION: Res. 90-504 adopted approving agreement for portion of Hangar No. 1 and 4 tie-downs.
Res. 90-505 adopted approving agreement for Office building No. 1, hangar No. 5, and tie-downs. (P/W to handle)

CONSENT

19. Consider approving agreement with Gus J. Papatone for the lease of Roselle Neighborhood Park Site.
(Mr. Papatone would like to renew his lease on this property for a rental payment of \$740 per year. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-506 adopted approving agreement. (Atty to handle)

CONSENT

20. Consider amending the Modesto City Employees Association Memorandum of Understanding to provide a uniform allowance in the Fire Prevention Bureau.
(Memo with agenda. Resolution approving amendment to MOU needed. Estimated cost: \$1,968 per year. Funds are budgeted.)

ACTION: Res. 90-507 adopted approving amended MOU . (Mgr to handle)

MISCELLANEOUS

Legislation

CONSENT

21. Staff recommends support of AB 2660 (Vasconcellos) Reimbursement for State Mandated Costs.
(Memo with agenda. Motion accepting recommendation needed.)

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

MATTERS TOO LATE FOR THE AGENDA

22. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

CLOSED SESSION

23. (Closed session to consider pending litigation pursuant to Government Code Section 54956.9(c) regarding the annexation and development of land surrounding the City-County Airport.)

ADJOURNMENT

The meeting adjourned to closed session at 5:15 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 8, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: Councilmember Dobbs

Pledge of allegiance to the Flag

Invocation: Rev. Larry Duncan, Retired, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 7, 9, 10, 11, 12, 13, 14,
15, 16, 17, 18

ACTION: (Lang/Bird, unan., Dobbs absent)

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1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Presentation of awards for financial reporting excellence in the Annual Financial Report for year ended June 30, 1989.
(Memo with agenda.)

Debra Wright, Finance Department representative, presented the plaques to Mayor Whiteside.

MINUTES

CONSENT

2. Approval of the minutes of the special City Council meeting of April 10, 1990, the regular City Council meeting of May 1, 1990, and the adjourned regular meetings of April 30 and May 1, 1990.
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Lew Mayhew, G.O.A.L., spoke about growth and the Village Plan.

Randy St. Francis said "street people" should pick up trash and trade it for meals.

"Papa Frank" spoke about the street people.

Bill McCormick thanked the Council for solving the McHenry Avenue cruising problem, and asked the Council to discontinue having an invocation at the beginning of the meeting.

UNFINISHED BUSINESS

CONSENT

4. Consider four resolutions regarding Public Facilities District No. 6, Widen Major Streets: Coffee, Oakdale and Prescott Roads. (Memo with agenda. Four resolutions ordering sale of bonds, awarding construction contract, authorizing change orders, and amending the budget needed. Estimated cost: \$1,203,074. Funds are budgeted.)

ACTION: Res. 90-508 adopted ordering sale of bonds.
Res. 90-509 adopted awarding construction contract.
Res. 90-510 adopted authorizing change orders.
Res. 90-511 adopted amending the budget.

(PW&T to handle)

CONSENT

7. Final adoption of Ordinance No. 2714-C.S. amending the Zoning Map to rezone from R-1 to P-0(473), property located on the north side of East Orangeburg Avenue, west of Sunrise Avenue. (Dennis Hobby)
(Motion adopting needed.)

(Clerk to handle)

HEARINGS

8. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Joyce Stark to a Planning Commission decision regarding an application to rezone from C-2 and R-1 to P-D for an equipment rental operation on the north side of Yosemite Boulevard, west of San Juan Drive.
(Continued from April 17, 1990, meeting.)

ACTION: Res. 90-512 adopted (Lang/Patterson, unan., Dobbs absent) denying appeal and upholding Planning Commission.

(Planning to handle)

BIDS

CONSENT

9. Consider declaring Traffic Control Technologies low bidder on and authorize the purchase of three traffic signal controllers for the total price of \$19,333. (Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 90-513 adopted authorizing purchase.

(PW&T to handle)

CONSENT

10. Consider award of contract to Western Stone Products, Inc., for the Sylvan Avenue improvements at Beyer High School.
(Bids were opened April 26, 1990. The low bid of \$166,666, submitted by Western Stone Products, is 6.44% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Western Stone Products needed. Estimated cost: \$183,332. (contract - \$166,666; eng. & cont. - \$16,666) Funds are budgeted.)

ACTION: Res.90-514 adopted awarding bid to Western Stone Products.
(PW&T to handle)

CONSENT

11. Consider declaring Good Times Kawasaki low bidder on and authorize the purchase of six Police motorcycles for the total cost of \$36,548.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 90-515 adopted awarding bid to Good Times Kawasaki.
(Finance to handle)

CONSENT

12. Consider declaring 136 light fixtures surplus and authorizing the Purchasing Officer to sell them by sealed bid.
(Memo with agenda. Resolution declaring light fixtures surplus and authorizing Purchasing Officer to sell them needed.)

ACTION: Res. 90-516 adopted declaring light fixtures surplus and authorizing sale by sealed bid.
(Finance to handle)

CONSENT

13. Consider approval of Shan-Lyn Construction's request for substitution of glazing subcontractor on the Airport Terminal expansion project.
(Memo with agenda. Resolution approving substitution needed.)

ACTION: Res. 90-517 adopted approving substitution. (PW&T to handle)

NEW BUSINESS

CONSENT

14. Presentation of the Culture Commission's annual report.
(Shirley Elke, Chairperson of the Commission, has prepared the report.
Copies of the report are with the agenda. Motion acknowledging receipt
of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

15. Consider approval of Comprehensive Memorandum of Understanding with the
Modesto Police Officers Association.
(Memo with agenda. Resolution approving M.O.U. needed.)

ACTION: Res. 90-518 adopted approving M.O.U. (Mgr to handle)

CONSENT

16. Consider approval of the final map of Scenic Estates No. 2 Subdivision of
the City of Modesto and consider accepting the improvements.
Subdivider: Douglas Keith Highiet
(All improvements have been completed to the satisfaction of the Public
Works and Transportation Department and all fees have been paid. Scenic
Estates Unit No. 2 is located north of Scenic Drive between Brighton
Avenue and Montrose Court. It contains 1.609 acres. Memo with agenda.
Resolution approving final map and accepting improvements needed.)

ACTION: Res. 90-519 adopted approving map and accepting improvements.
(Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

17. Letter from Shirley Elke resigning from the Culture Commission.
(Resolution accepting with regret needed.)

ACTION: Res. 90-520 adopted accepting with regret. (Clerk to handle)

MISCELLANEOUS

Legislation

CONSENT

18. Staff recommends supporting:

- a. AB 2657 (Burton) McKinney Homeless Act Matching Funds
- b. AB 3193 (Polanco) Redevelopment - Hazardous Substance Releases and Waste
- c. AB 4114 (Clute) and AB 3048 (Bentley) Abandoned Vehicles Abatement Program
- d. SCA 2 (Leonard) General Obligation Bonds - Voting Requirement
- e. SB 1858 (Robbins) Automobile Insurance - Finance Responsibility
- f. SB 2175 (C. Green) Redevelopment Finance

Staff recommends opposing:

- g. SB 2559 (L. Greene) High Density Housing - Mass Transit
(Memo with agenda. Motion accepting recommendations needed.)

ACTION: By motion, recommendation accepted.

(Mgr to handle)

MATTERS TOO LATE FOR THE AGENDA

19. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

ACTION: By motion (Bird/Patterson, unan., Dobbs, absent) it was agreed to consider a matter that arose after the agenda had been prepared.

Res. 90-521 (Lang/Irizarry, unan., Dobbs, absent) adopted clarifying the limitation on certificate interest rate relating to refinancing the Stanislaus Waste-to-Energy Project.

(Attorney to handle)

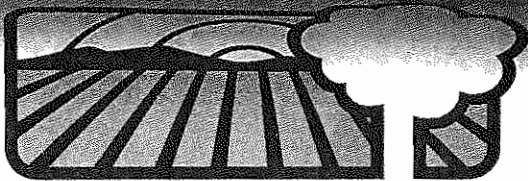
CLOSED SESSION

20. Closed session regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, pursuant to Section 54957.6 of the Government Code.

ADJOURNMENT

The meeting adjourned at 9:17 p.m. to closed session, and then to Friday, May 11, 1990, 8:00 a.m., at Red Lion Hotel, San Jose Room, 1150 9th Street, Modesto, for a meeting with Assemblyman Cannella; and then to Friday, May 11, 1990, 9:30 a.m., in the Third Floor Conference Room, City Hall, 801 11th Street, Modesto, to discuss the Centre Plaza rate report and related matters.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned session at 8:00 a.m., May 11, 1990, in the San Jose Room, Red Lion Hotel, 1150 9th Street, Modesto, California, for a meeting with Assemblyman Cannella.

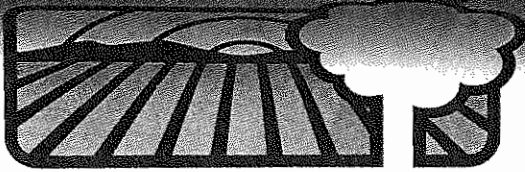
Present: Councilmembers Bird, Irizarry, Muratore, Patterson, Mayor Whiteside

Absent: Councilmembers Dobbs, Lang

There was a general discussion of recent State legislation and propositions.

The meeting adjourned at 9:26 a.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned session which convened at at 9:55 a.m., May 11, 1990, in the Third Floor Conference Room, City Hall, Modesto, California, for a study session concerning the Centre Plaza rates report and related matters.

Present: Councilmembers Bird, Muratore, Patterson, Mayor Whiteside

Councilmember Muratore arrived at 10.23 a.m.
Mayor Whiteside excused at 11:30 a.m.

Absent: Councilmembers Dobbs, Irizarry, Lang

There was a discussion of financing, various policies, uses, and proposed rates in connection with the Centre Plaza.

The meeting adjourned at 11:53 a.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 15, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Rick Johnson, Chaplain, Juvenile Hall

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 9, 10, 12, 13, 14,
16, 17, 18, 19, 20, 23,
24, 25, 26, 29,

Dropped from agenda: 15

Removed from consent: 21

ACTION: (Lang/Irizarry, unan.)

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 11, 22
(Councilmember Bird excused due to a
conflict of interest

ACTION: (Lang/Irizarry, unan., Bird excused)

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 27, 28
(Councilmember Dobbs excused due to a
conflict of interest

ACTION: (Bird/Muratore, unan., Dobbs excused)

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of May 8, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Papa Frank spoke.

Mary Wren spoke about the cruising ordinance and signs.

UNFINISHED BUSINESS

4. Final adoption of Ord. No. 2713-C.S. rezoning from R-1 to P-D(474), property located on the south side of Floyd Avenue, west of Coffee Road. (Phillip D. Overholtzer).
(Motion adopting needed.)

ACTION: By motion (Lang/Muratore, majority, Dobbs, Irizarry, Whiteside-no) Ord. No. 2713-C.S. adopted. (Clerk to handle)

CONSENT

5. Consider accepting staff recommendations for Modesto A La Carte. (The requests of the Modesto A La Carte Committee as submitted to the City Council on February 6, 1990, are the same as last year's. From the City's perspective, there were no problems last year. Staff, therefore, recommends approval. Motion accepting staff recommendations needed.)

ACTION: By motion, recommendations approved. (P/R to handle)

HEARINGS

6. Hearing to consider establishing fees for Fire Prevention inspections.

ACTION: Res. 90-521 adopted (Patterson/Lang, unan.) establishing fees. (Fire to handle)

7. Hearing to consider approving the Final Statement of Community Development Objectives and use of Community Development Block Grant Funds for Fiscal Year 1990-1991 and authorizing the City Manager to submit an application to the U.S. Department of Housing and Urban Development for a \$1,116,000 Community Development Block Grant for the City's Housing Program Office.

ACTION: Res. 90-522 adopted (Lang/Bird, unan.) approving staff recommendations except for the S.O.S.P. Co-Location of Community Services and the Center for Senior Employment items.

COUNCILMEMBER IRIZARRY EXCUSED DUE TO A CONFLICT OF INTEREST.
Res. 90-523 adopted (Patterson/Bird, unan., Irizarry absent) approving the staff recommendation concerning Center for Senior Employment.

Res. 90-524 adopted (Lang/Muratore, majority, Patterson-no) approving the staff recommendation concerning the S.O.S.P. Co-Location of Community Services item. (Planning to handle)

BIDS

8. Report on receipt of written bids for sale of a surplus building to be moved, and oral bidding for the sale of a surplus building to be moved as required by Specification and Notice to Bidders approved by Council on April 3, 1990.
(Memo with agenda. Resolution awarding bid needed.)

No written bids were received.

CONSENT

9. Consider award of contract for the construction of Fire Station No. 9 to Shan-Lyn Construction, Inc., and consider amending the budget to fund this project.
(Bids were opened on April 19, 1990. The low bid of \$412,000, submitted by Shan-Lyn Construction, Inc. is 5.13% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to Shan-Lyn Construction, Inc. Memo and bid tabulation with agenda. Resolution awarding contract needed, and resolution amending the budget needed. Estimated cost: \$453,200 (contract \$412,000; eng. & cont. \$41,200.)

ACTION: Res. 90-525 adopted awarding contract.
Res. 90-526 adopted amending the budget. (P/W, Finance to handle)

CONSENT

10. Consider award of contract for reroofing Senior Citizens Center to A & B Roofing.
(Bids were opened on May 3, 1990. The low bid of \$22,725 is 2.36% above the engineer's estimate and is considered acceptable. It is, therefore, recommended that the contract be awarded to A & B Roofing. Memo and bid tabulation with agenda. Resolution awarding contract to A & B Roofing needed. Estimated cost: \$24,997 (contract \$22,725; eng. & cont. \$2,272). Funds are budgeted.)

ACTION: Res. 90-527 adopted awarding contract. (P/W to handle)

CONSENT- COUNCILMEMBER BIRD EXCUSED DUE TO A CONFLICT OF INTEREST.

11. Consider award of contract for the construction of the clubhouse at Modesto Dry Creek Golf Course to Hackett Environmental Systems, Inc.
(Bids were opened on May 3, 1990. The low bid of \$612,000, submitted by Hackett Environmental Systems, Inc., is considered acceptable. It is, therefore, recommended that the contract be awarded to Hackett Environmental Systems, Inc. Memo and bid tabulation with agenda. Resolution awarding contract to Hackett Environmental Systems, Inc. needed. Estimated cost: \$673,200 (contract \$612,000; eng. & cont. \$61,200). Funds are budgeted.)

ACTION: Res. 90-528 adopted (Lang/Irizarry, unan., Bird absent) awarding contract. (P/W to handle)

CONSENT

12. Consider award of contract for the installation of 1.3 million gallon steel tank water reservoir.
(Bids were opened on May 3, 1990. The low bid of \$379,331, is 14.76% below the engineer's estimate and is considered acceptable. It is, therefore, recommended that the contract be awarded to Trusco Tank, Inc. needed. Memo and bid tabulation with agenda. Resolution awarding contract to Trusco Tank, Inc. Estimated cost: \$416,331 (contract \$379,331; eng. \$37,933). Funds are budgeted.)

ACTION: Res. 90-529 adopted awarded contract. (P/W to handle)

CONSENT

13. Consider acceptance of Bowden Electric, Inc.'s contract for the construction of traffic signals at Sylvan Avenue and Keller Avenue.
(Original contract and final cost: \$68,880)
(All work on this project has been completed to the satisfaction of the Public Works and Transportation Department. It is, therefore, recommended that the project be accepted as complete and the Notice of Completion filed. Memo with agenda. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 90-530 adopted accepting work as complete. (Clerk to handle)

NEW BUSINESS

CONSENT

14. Presentation of 1990-91 Proposed Budget and the 1990-91 through 1993-94 Capital Improvement Program.
(Documents will be presented at the meeting. Budget study sessions were previously approved for May 17 from 3:00 to 5:00 p.m., and May 21, 23, 24, and 29 from 4:00 to 6:00 p.m. Resolution setting public hearing for June 5, 1990, at 7:30 p.m. needed.)

ACTION: Res. 90-531 adopted setting hearing. (Clerk to handle)

CONSENT

15. Consider approval of the letter agreement which provides for the payment of certain expenses incurred by Stanislaus Waste Energy Company in connection with the issuance of the 1990 Revenue Certificates and the refunding of the 1985 Bonds and authorize the City Manager to sign the agreement.
(Memo with agenda. Resolution approving letter agreement needed.)

Dropped from agenda.

CONSENT

16. Consider approving an agreement with the Housing Authority for the Rental Rehabilitation Program.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-532 adopted approving agreement. (Planning to handle)

CONSENT

17. Consider authorizing City Manager to execute an amendment to the agreement dated July 19, 1988, with Grothe and Smith Architects to provide design services related to expansion of the control building at the City's sewer treatment plant.
(Memo with agenda. Resolution approving amendment to agreement needed. Estimated cost: \$11,500. Funds are budgeted.)

ACTION: Res. 90-533 adopted approving amended agreement. (P/W to handle)

CONSENT

18. Consider accepting right of entry from the County of Stanislaus to drill a test water well in Parklawn Park.
(The City needs to enter on County property to drill a test well. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-534 adopted approving agreement. (Attorney to handle)

CONSENT

19. Consider approving lease agreement with Dominic De Palma for the lease of a portion of Dry Creek Park.
(This is a renewal of existing lease for a portion of the McClure property. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-535 adopted approving agreement. (Attorney to handle)

CONSENT

20. Consider approving agreement with Walter and Charlotte J. Vance regarding the McClure Mansion.
(The Vances have been caretakers of the McClure mansion for some years, and their lease needs to be changed from a caretaker arrangement to a lease arrangement. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-536 adopted approving agreement. (Attorney to handle)

21. Consider approving agreement with William J. and Barbara W. Han for the lease of 1200 "F" Street.
(The Police Department needs additional space, and the only option open is to lease office space near the police facilities building. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-537 adopted (Irizarry/Lang, majority, Dobbs-no) approving agreement. (Attorney to handle)

CONSENT - COUNCILMEMBER BIRD EXCUSED DUE TO A CONFLICT OF INTEREST

22. Consider approving agreement with Korve Engineering to perform a Parking Feasibility Study for the Modesto Central Business District.
(Memo with agenda. Resolution approving agreement needed and resolution approving appropriation transfer needed. Estimated cost: \$51,600.)

ACTION: Res. 90-538 adopted (Lang/Irizarry, unan., Bird absent) approving agreement.
Res. 90-539 adopted (same vote) approving appropriation transfer.
(P/W and Finance to handle)

CONSENT

23. Consider accepting Grant Offer for federal funds to complete the installation of a fire protection water main to the Airport passenger terminal.
(Memo with agenda. Resolution accepting grant offer needed.)

ACTION: Res. 90-540 adopted accepting grant offer. (P/W to handle)

CONSENT

24. Consider reallocating one Plan Review Engineer position to Assistant/Associate Civil Engineer.
(Memo with agenda. Motion reallocating position needed.)

ACTION: By motion, position reallocated. (Manager to handle)

CONSENT

25. Monthly Treasurer's Report for April, 1990.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

26. Consider approval of the final map of Mountainview Terrace No. 4 subdivision of the City of Modesto and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code. (Subdivider: Gary R. and Tina M. Fernandes)
(The subdivision agreement has been signed and all fees paid. Mountainview Terrace is located at the northeast corner of Kansas Avenue and Rosemore Avenue. It contains 0.691 acres. Resolution approving final map needed.)

ACTION: Res. 90-541 adopted approving final map. (Clerk to handle)

CONSENT - COUNCILMEMBER DOBBS EXCUSED DUE TO A CONFLICT OF INTEREST

27. Consider request for water service to property outside City limits to serve Roselle Avenue Middle School, located between Floyd Avenue and Sylvan Avenue, west of Roselle Avenue. (Owners: Sylvan Union School District)
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits. Water to be extended by City. Funds to be appropriated from water reserves prior to project construction. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-542 adopted (Bird/Muratore, unan., Dobbs absent) approving agreement. (Clerk to handle)

CONSENT - COUNCILMEMBER DOBBS EXCUSED DUE TO A CONFLICT OF INTEREST

28. Consider request for sewer service to property outside City limits to serve Roselle Avenue Middle School, located between Floyd Avenue and Sylvan Avenue, west of Roselle Avenue. (Owners: Sylvan Union School District)
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits. Sylvan Union School District to extend sewer line. Funds to be appropriated from water reserves prior to project construction. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-543 adopted (Bird/Muratore, unan., Dobbs absent) approving agreement. (P/W to handle)

CONSENT

29. Consider retaining contractor for traffic signals synchronization under the 1990 Fuel Efficient Traffic Signal Management (FETSIM) program (Memo with agenda. The Selection Committee selected DKS Associates to help the City staff in retiming traffic signals at 17 intersections under the 1990 FETSIM program. Resolution amending the budget to increase the estimated grant revenue and appropriate funds for a new CIP project, and resolution approving agreement with DKS Associates needed. Estimated cost: Total project - \$127,960 (State Grant share - \$63,500; City share - \$64,460).

ACTION: Res. 90-544 adopted amending the budget.
Res. 90-545 adopted approving agreement. (P/W to handle)

MATTERS TOO LATE FOR THE AGENDA

30. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

CLOSED SESSION

31. Closed session regarding Cudney and Holliday vs. City of Modesto, pursuant to Government Code Section 54956.9(a).

ADJOURNMENT

The meeting adjourned at 5:42 p.m. to closed session and then to Tuesday, May 22, 1990, at 2:00 p.m., City Hall, 801 11th Street, Modesto, California in the Third Floor Conference Room for a workshop on capital facilities fees.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 3:20 p.m., May 17, 1990, in the Council Chambers, City Hall, Modesto, California, to begin review of the 1990-91 budget.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Patterson, Mayor Whiteside

Councilmember Lang arrived at 3:20 p.m.
Councilmember Dobbs arrived at 3:55 p.m.
Councilmember Patterson arrived at 4:03 p.m.

Absent: Councilmember Muratore

The Finance Director presented an overview of the budget, after which the following budgets were reviewed:

City Council	Finance Department Administration
City Manager	Treasury
Public Information	Revenue and Collections
Training	Purchasing
Citizen Information Service	Microfilm and Records
Personnel	Data Processing
Word Processing Center	Office Services
City Attorney	Planning and Community Development
Property Management	Music and Promotion, budget to be completed later
City Clerk & Auditor	Insurance
Economic Development	Miscellaneous Unclassified

The meeting adjourned at 4:59 p.m. to May 21, 1990, at 4:00 p.m., in the City Council Chambers, 801 11th Street, Modesto.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned special session at 4:00 p.m., May 21, 1990, in the Council Chambers, City Hall, Modesto, California, to continue study of the proposed budget.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Mayor Whiteside

Councilmember Dobbs arrived at 4:16 p.m.

Absent: Councilmember Patterson

The following budgets were reviewed:

Highways and Streets	Parks and Recreation
Parking & Traffic Administration	Parks & Recreation Dept. Administration
Electrical Division	Parks - Service Division
Streets Division	Parks - Grounds Maintenance
Public Safety	Trees - Maintenance
Fire Administration	Planting & Preservation
Emergency Preparedness	Cultural - General
Training Division	Cultural - Museum
Fire Prevention Bureau	Cultural - Mansion
Fire Suppression	Recreation Division
Police Administration	Facilities - General
Special Services Division	Facilities - King Kennedy
Records & Support Division	Facilities - Senior Citizens Center
Drug Enforcement Unit	Community Services Center
Investigative Services	Modesto Centre Plaza
Field Operations	Centre Plaza Parking Facility
Animal Control	

The meeting adjourned at 6:00 p.m. to May 23, 1990, at 4:00 p.m., in the City Council Chambers, 801 11th Street, Modesto, California.

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 22, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside
Councilmember Patterson arrived at 4:13 p.m.

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Earl Amundson, Central Seventh Day Adventist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 8, 9, 10, 11,
12, 15

Dropped from agenda: 12

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

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

MINUTES

CONSENT

2. Approval of the minutes of the two adjourned meetings of May 11, 1990, and the regular City Council meeting of May 15, 1990. (Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

HEARINGS

4. Hearing to consider revisions to rental rates at Modesto Centre Plaza. (Continued from April 3, 1990, City Council meeting.) (At the April 24, 1990, City Council meeting, a motion approving tabled until after May 11, 1990, 9:30 a.m. study session.)

ACTION: Res. 90-546 adopted (Muratore/Lang, unan., Patterson absent) approving revised rates. (P/R to handle)

BIDS

CONSENT

5. Consider acceptance of Scrimsher & Mineni's contract for the Mancini Bowl Seating. Original contract: \$112,996.24 (All work on this project has been completed to the satisfaction of the Public Works and Transportation Department. It is, therefore, recommended that the project be accepted as complete and the Notice of Completion filed. Resolution accepting work as complete needed. Final cost: \$116,780.80. Funds are budgeted.)

ACTION: Res. 90-547 adopted accepting as complete. (Clerk to handle)

CONSENT

6. Consider acceptance of Rolfe Construction's contract for the water line extension in Marin, Ustick, and Whitmore for California Chardonnay Subdivision. Original contract: \$147,736.00
(All work on this project has been completed to the satisfaction of the Public Works and Transportation Department. It is, therefore, recommended that the project be accepted as complete and the Notice of Completion filed. Resolution accepting work as complete needed. Memo with agenda. Final cost: \$126,824.00. Funds are budgeted.)

ACTION: Res. 90-548 adopted accepting as complete. (Clerk to handle)

CONSENT

7. Consider acceptance of Cimarron Construction's contract for the construction of diversion structure - MID lateral No. 2 at McClure Road. Original contract: \$87,990.00
(All work on this project has been completed to the satisfaction of the Public Works and Transportation Department. It is, therefore, recommended that the project be accepted as complete and the Notice of Completion filed. Resolution accepting work as complete needed. Memo with agenda. Final cost: \$89,986.05. Funds are budgeted.)

ACTION: Res. 90-549 adopted accepting work as complete. (Clerk to handle)

NEW BUSINESS

CONSENT

8. Consider appropriation transfer and creation of a new account to fund installation of roadside flashing beacons for the Christine Sipherd school zone on East Orangeburg.
(Memo with agenda. School officials requested a study of the feasibility of installing beacons. Staff investigation found beacons to be warranted. Resolution creating new C.I.P. account and transferring funds. Estimated cost: \$9,380. Funds are budgeted.)

ACTION: Res. 90-550 adopted creating new C.I.P. account and transferring funds. (Finance to handle)

CONSENT

9. Consider approval of the final map of Oxford Place Subdivision of the City of Modesto, and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code.
Subdividers: Florsheim Bros.
(The subdivision agreement has been signed and all fees paid. Oxford Place is located on the west side of Roselle Avenue between E. Briggsmore Avenue and Merle Avenue. It contains 8.345 acres. Resolution approving the final map needed.)

ACTION: Res. 90-551 adopted approving final map. (Clerk to handle)

CONSENT

10. Consider approval of the final map of Columbine Place Subdivision of the City of Modesto, and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code.
Subdividers: 605 Standiford Group
(The subdivision agreement has been signed and all fees paid. Oxford Place is located at the northeast corner of Standiford Avenue and Columbine Drive. It contains 2.282 acres. Resolution approving the final map needed.)

ACTION: Res. 90-552 adopted approving final map. (Clerk to handle)

CONSENT

11. Consider authorizing City Manager to sign agreement with The William Lyon Company, Inc., for the installation of street improvements adjacent to Yosemite Park.
(The developer has requested permission to construct the City's required street improvements in conjunction with their development of Dry Creek Meadows No. 6 subdivision. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$14,230.49. Funds are budgeted.)

ACTION: Res. 90-553 adopted approving agreement. (P/W to handle)

CONSENT

12. Consider request by Stanislaus County to approve loan from Geer Road Landfill Enterprise Fund for the Resource Recovery Account.
(Memo with agenda. Resolution approving loan needed.)

Dropped from agenda.

WRITTEN COMMUNICATIONS

13. Letter from John J. King, University of California Campus Expansion Committee, requesting a pledge of \$10,000 from the City of Modesto to assist in the effort to locate the proposed new U. C. campus in this area.

ACTION: By motion (Muratore/Dobbs, unan.) it was agreed that the City would contribute \$10,000 when the list is narrowed to 8 or less.

14. Letter from Mrs. Clifford Fifer concerning her daughter's problem at school.

No action taken.

MISCELLANEOUS

Legislation

CONSENT

15. Staff recommends:

Support of:

- a. June Ballot Proposition 121 - Higher Education Facilities Bond Act of 1990
- b. AB 2707 (La Follette) Household Hazardous Waste Programs.
- c. AB 2992 (Cannella) Controlled Substances

Support and seek amendment to:

- d. SB 2405 (Kopp) Airport Noise - Exemption from Liability

Opposition to:

- e. AB 4298 (W. Brown) Beverage Container Recycling

(Memo with agenda. Motion approving recommendations needed.)

ACTION: By motion, recommendations approved. (Manager to handle)

Appointments

16. Consider reappointments to the following:

- a. Board of Zoning Adjustment

ACTION: Res. 90-554 adopted (Muratore/Irizarry, unan.) reappointing Paul Vogelzang, term to expire 1/1/94.

- b. Planning Commission

ACTION: Res. 90-555 adopted (Muratore/Irizarry, unan.) reappointing Robert Dunbar, term to expire 1/1/94.

- c. Culture Commission

ACTION: Res. 90-556 adopted (Muratore/Irizarry, unan.) reappointing Virginia Choate, term to expire 1/1/94.

MATTERS TOO LATE FOR THE AGENDA

17. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

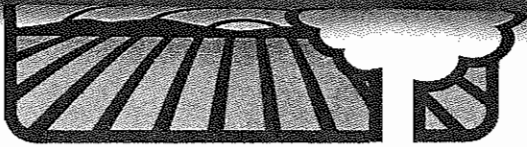
CLOSED SESSION

18. Closed session regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees to review the City's position and instruct staff, pursuant to Government Code Section 54957.6 of the Government Code, and to consider pending litigation in accordance with Government Code Section 54956.9(b)(1).

ADJOURNMENT

Meeting adjourned to closed session at 4:35 p.m.

ATTEST: Norrine Coyle
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned regular session at 2:00 p.m., May 22, 1990, in the Council Chambers, City Hall, Modesto, California, for a study session concerning capital facilities fees.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Mayor Whiteside

Councilmember Muratore arrived at 2:35 p.m.

Councilmember Dobbs arrived at 3:20 p.m.

Absent: Councilmember Patterson

There was a general discussion of Modesto's capital facilities fees, comparing them with those in other areas. By order of the Chair, staff was requested to do some preliminary research on whether the City could use Mello-Roos Districts to allow industrial and commercial developers to pay the capital facilities fees over time.

The meeting adjourned at 3:35 p.m.

ATTEST:

Norrine Coyle

NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned special session at 4:00 p.m., May 23, 1990, in the Council Chambers, City Hall, Modesto, California, to continue review of the budget.

Present: Councilmembers Bird, Lang, Muratore, Mayor Whiteside
Councilmember Lang was excused at 5:15 p.m.

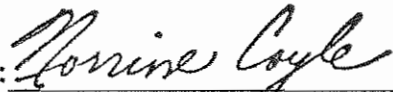
Absent: Councilmembers Dobbs, Irizarry, Patterson

The following budgets were reviewed:

- Public Works
- Engineering Division
- Construction Administration
- Engineering Administration
- Building Inspection
- Department Administration
- Waste-to-Energy Project
- Recycling Program
- Transportation Administration
- City Hall Division
- Downtown Improvement District
- Housing Program Office
- Housing Program Office - Loan Payments
- Community Development Block Grant - Direct Loan Program
- Community Development Block Grant - Rental Rehabilitation Program
- Off Street Parking
- Water Production
- Sewer Administration
- Sewer - Water Collections
- Sewer - Treatment Primary
- Sewer - Treatment Secondary
- Sewer - Monitoring and Control

Sewer - Treatment Plant Improvements
Industrial Waste Planning and Monitoring
Storm Drainage Operations
Airport Operations
Bus Service
Bus Maintenance
Dial-A-Ride Service
Golf General
Municipal Golf Course
Dryden Golf Course
Dry Creek Golf Course
Tuolumne River Regional Park
Central Stores
Service - Main Shop
Service - Police Shop
Self Insurance Program
Risk Management
Methane Gas Generation

The meeting adjourned at 5:52 p.m. to May 24, 1990, at 4:00 p.m. in the City Council Chambers, City Hall, 801 11th Street, Modesto, California.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned special session at 4:00 p.m., May 29, 1990, in the Council Chambers, City Hall, Modesto, California, to continue review of the budget.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson, Mayor Whiteside

Councilmember Muratore arrived at 4:08 p.m.
Councilmembers Dobbs and Patterson arrived at 4:39 p.m.

Absent: None

Adriana Garza, Assistant to the City Manager, reported on the proposed contribution to the Stanislaus County Library.

It was agreed to meet on June 12, 1990, at 2:00 p.m. for further consideration of the budget.

The meeting adjourned at 5:15 p.m.

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 6:30 p.m., June 5, 1990, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Bird, Dobbs, Irizarry, Patterson, Mayor Whiteside

Absent: Councilmembers Lang, Muratore

The meeting adjourned at 6:35 p.m. to a closed session to consider the evaluation of performance of certain public employees, pursuant to Government Code Section 54957.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 7:00 p.m., June 5, 1990, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson,
Mayor Whiteside

Absent: None

The meeting adjourned at 7:00 p.m. to a closed session regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees to review the City's position and instruct staff, pursuant to Government Code Section 54957.6.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 5, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. John Krueger, Grace Lutheran Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 10, 11, 12, 13,
14, 15, 16, 17, 18, 19, 20, 25, 26

Removed from consent: 8

ACTION: (Lang/Muratore, unan.)

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Members of the King-Kennedy Center Concerned Citizens Childrens After School Program will present a mural.

The mural was presented with comments by the children.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of May 22, the adjourned regular meeting of May 22, the special meeting of May 17, and the adjourned special meetings of May 21, May 23, May 24 and May 29, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

Councilmember Patterson excused at 7:50 p.m.

HEARINGS

4. Hearing to consider the 1990-91 Proposed Budget and the 1990-91 through 1993-94 Capital Improvement Program.

No action taken

5. Hearing to consider an amendment to Section 28-3-9 of the Zoning Map to rezone from R-2 to P-D(471) property located on the north side of Scenic Drive west of Coffee Road. (Roman Catholic Bishop of Stockton)

ACTION: By motion (Lang/Irizarry, unan., Patterson absent) hearing continued to June 12, 1990, at 4:00 p.m. (Clerk to handle)

CONSENT

6. Hearing to consider an amendment to P-D(73), property located at the northeast corner of Coffee Road and Briggsmore Avenue. (Memorial Medical Center)
(This matter will not be considered. Memo with agenda.)

No action taken.

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for the installation of an 18' waterline in Crows Landing Road, Zeff Road, Tuolumne Boulevard and 10th Street.
(Suggested bid opening June 28, 1990, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$841,625 (contract \$765,114; eng. & cont. \$76,511). Appropriation transfer to be requested at time of award when exact amount needed to construct project is known.)

ACTION: Res. 90-557 adopted approving call for bids. (P/W to handle)

NEW BUSINESS

8. Consider increasing Self-Insured Retention (general liability) to One Million Dollars.
(Memo with agenda. Resolution authorizing increase in self-insured retention in the General Liability Insurance Pool needed.)

ACTION: Res. 90-558 adopted (Irizarry/Bird, unan., Patterson absent) authorizing increase. (Attorney to handle)

CONSENT

9. Consider approving lease agreement with Gallo Glass Company for the lease of Mark Twain Park site.
(This is a renewal of an existing lease for one more year. Memo with agenda. Resolution approving lease agreement needed.)

ACTION: Res. 90-559 adopted approving lease agreement. (Attorney to handle)

CONSENT

10. Consider amendment to agreement with Modesto High School District regarding caretaker house for Dry Creek Park.
(Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 90-560 adopted approving amended agreement. (Attorney to handle)

CONSENT

11. Consider approving agreement with Recht, Hausrath and Associates for ongoing services relating to Capital Facilities Fees.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-561 adopted approving agreement. (Planning to handle)

CONSENT

12. Consider approval of the final map of Copper Creek No. 3 subdivision of the City of Modesto and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code.
(Subdivider: Bright Development)
(The subdivision agreement has been signed and all fees paid. Copper Creek No. 3 is located East of Claus Road, northerly and westerly from Dry Creek. It contains 16.893 acres. Resolution approving the final map needed.)

ACTION: Res. 90-562 adopted approving final map. (Clerk to handle)

CONSENT

13. Consider approving amendment to agreement with Yosemite Junior College District.
(This lease agreement needs to be amended to allow the district to grant an easement. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 90-563 adopted approving amended agreement. (Attorney to handle)

CONSENT

14. Consider instructing the Director of Public Works and Transportation to file the annual reports regarding Landscape Maintenance Assessment Districts No. 1 and No. 2 for Dry Creek Meadows.
(Memo with agenda. Resolutions instructing the Director of Public Works and Transportation to file annual reports needed.)

ACTION: Res. 90-564 adopted approving filing annual report on Assessment District No. 1.
Res. 90-564A adopted approving filing annual report on Assessment District No. 2. (P/W to handle)

CONSENT

15. Consider approving refund of \$535.66 for overpayment of Business Improvement Area Tax by the Wardens Office, 1401 J Street, Modesto.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-565 adopted approving refund. (Finance to handle)

CONSENT

16. Consider approving refund of \$1,362.21 for overpayment of Business Improvement Area Tax by the Thompson-Hysell Engineering, 1016 - 12th Street, Modesto.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-566 adopted approving refund. (Finance to handle)

CONSENT

17. Consider approving refund of \$6,756.27 for overpayment of Business License Tax by the Zeff Advanced Products, 2549 Yosemite Boulevard, Modesto.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-567 adopted approving refund. (Finance to handle)

CONSENT

18. Consider approving refund of \$2,940.62 for overpayment of Business License Tax by the Jenny Craig Weight Loss Center, 951 #750 San Mateo.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-568 adopted approving refund. (Finance to handle)

CONSENT

19. Consider approving refund of \$1,079.24 for overpayment of Business License Tax by the Tune-Up Masters #340, 2001 Corporate Center Drive, Newbury Park.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-569 adopted approving refund. (Finance to handle)

CONSENT

20. Consider authorizing City Manager to sign agreement with Grothe & Smith Architects for the feasibility study to remodel Fire Station No. 1 - Phase I.
(Memo with agenda. Resolution approving agreement and resolution approving appropriation transfer needed. Estimated cost: \$34,000.)

ACTION: Res. 90-570 adopted approving agreement.
Res. 90-571 adopted approving appropriation transfer. (P/W to handle)

WRITTEN COMMUNICATIONS

21. Letter from Jim Van Heukelem, Owner/President of Sky Trek Aviation, concerning development fees on guest terminal and hangar at Modesto City-County Airport.

This item will be on the June 19, 1990, meeting.

22. Letter from Duwayne C. Stenger regarding the City's tree planting program.

Mr. Stenger was not present.

23. Letter from Judie M. Tillman requesting an amendment to the Municipal Code Section 10-2.507 regarding animals and fowl.

Ms. Tillman was not present.

24. Letter from April L. Boland requesting an increase in the number of animal control officers.

Taken up under item 4.

CONSENT

25. Application of William S. Morris, on behalf of Alisa Conlon, for leave to present late claim.
(Resolution denying application needed.)

ACTION: Res. 90-572 adopted denying application. (Clerk to handle)

MISCELLANEOUS

CONSENT

26. Legislation: Staff recommends:

Support

- a. AB 1820 (Sher) Flexibility for Waste Characterization Studies

Oppose

- b. SB 2688 (Rogers) Water Softeners Prohibited
c. Recent "Mark-up" of S 566 - Cranston/D'Amato National Affordable Housing Act

(Memo with agenda. Motion accepting recommendation needed.)

ACTION: By motion, recommendations approved. (Manager to handle)

MATTERS TOO LATE FOR THE AGENDA

27. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 8:05 p.m. to June 12, 1990, at 2:00 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California for further consideration of the 1990-91 proposed budget and capital improvement program.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned regular session at 2:00 p.m., June 12, 1990, in the Third Floor Conference Room, City Hall, Modesto, California, for a study session concerning the budget.

Present: Councilmembers Bird, Dobbs, Irizarry, Patterson, Mayor Whiteside

Councilmember Patterson arrived at 2:17 p.m.

Absent: Councilmember Muratore

The report prepared in response to questions raised at the May 29, 1990 budget review session was reviewed and discussed.

The Council Ad Hoc Budget Committee recommendations regarding allocations for community organizations was supported.

By motion, (Patterson/Lang, unan., Muratore, absent) an allocation of \$617,496 to the County of Stanislaus for the library was approved, paying the first and second quarter appropriations only until such time as a satisfactory agreement with the County for shared administrative decision making is entered into.

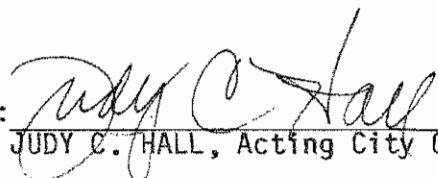
By motion, (Dobbs/Bird, unan., Muratore, absent) staff recommendation for C.I.P. allocation for Streets was approved.

By motion, (Patterson/Irizarry, unan., Muratore, absent) staff recommendation for C.I.P. allocation for fire station roof repairs was approved.

A Capital Construction Reserve Fund of \$500,000 was supported.

The meeting adjourned at 3:26 p.m.

ATTEST:


JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 12, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang,
Patterson, Mayor Whiteside

Absent: Muratore

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 10, 11, 12, 13,
14, 15, 16, 18, 19

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

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1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of June 5, and the special City Council meetings of June 5, 1990. (Motion approving needed.)

ACTION: By motion, minutes approved.

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

4. Report on City Council's Growth Management Policy. (The report outlining the Council's Growth Management Policy was prepared in response to Lew Mayhew's concerns regarding recent City Council action on the Claratina area. Motion acknowledging receipt of report needed.)

ACTION: By motion (Lang/Dobbs, unan., Muratore absent) receipt of report acknowledged.

HEARINGS

5. Hearing to consider an amendment to Section 28-3-9 of the Zoning Map to rezone from R-2 to P-D(471) property located on the north side of Scenic Drive west of Coffee Road. (Roman Catholic Bishop of Stockton) (Continued from the June 5, 1990, City Council meeting.)

ACTION: By motion (Lang/Dobbs, unan., Muratore absent) Ord. 2715-C.S. introduced.
Res. 90-573 adopted (same vote) approving development plan.
Res. 90-574 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for rockwell relocations at various well sites. (Suggested bid opening: July 5, 1990, at 11:05 a.m. This project consists of relocating 11 rockwells located adjacent to City water wells. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$61,782 (contract - \$56,165; eng. & cont. - \$5,617). Funds are budgeted.)

ACTION: Res. 90-575 adopted calling for bids. (P/W to handle)
WPCC171 2 6-12-90

CONSENT

7. Consider accepting Cunningham & Sons, Inc.'s contract for the HAC curb ramps Project No. 6, McHenry Avenue/Route 108 as complete. Original contract: \$60,044.44
(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 file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$54,836.45.)

ACTION: Res. 90-576 adopted accepting as complete. (P/W to handle)

NEW BUSINESS

8. Consider provision of sanitary sewer service to the Bret Harte area. (Stanislaus County staff has requested the City to consider providing sanitary sewer service to the Bret Harte area. Memo with agenda. Motion directing staff needed. Funds to be provided by a County improvement district -- no cost to City.)

ACTION: By motion (Dobbs/Lang, unan., Muratore absent) staff directed to work with County on agreement. (Manager to handle)

CONSENT

9. Consider extension of the contract regarding 9th Street tracks. (An extension of two months to August 5, 1990, for consultant contract on train removal is recommended. Resolution extending contract is recommended.)

ACTION: Res. 90-577 adopted extending contract. (P/W to handle)

CONSENT

10. Consider approving agreement with Southern Pacific Transportation Company for the purchase of land for a water tank. (Southern Pacific has agreed to sell the required property for the appraised value. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$87,750 (land - \$83,750; estimated escrow - \$4,000). Funds are budgeted.)

ACTION: Res. 90-578 adopted approving agreement. (P/W to handle)

CONSENT

11. Consider City representation and other amendments to the San Joaquin Valley Air Basin Authority. (Memo with agenda. Motion accepting recommendation needed.)

ACTION: By motion, recommendation accepted. (Manager to handle)

CONSENT

12. Consider adopting Resolutions of Intention and setting the time and date for public hearings for the Dry Creek Meadows Subdivision Landscape Maintenance Assessment Districts No. 1 and No. 2.
(It is recommended that the public hearings be set for July 10, 1990, at 4:00 p.m. Memo with agenda. Two resolutions of intention setting public hearings needed.)

ACTION: Res. 90-579 adopted setting hearing for Assessment District No. 1.
Res. 90-580 adopted setting hearing for Assessment District No. 2.
(Clerk to handle)

CONSENT

13. Consider request for water service to property outside City limits at 4300 McHenry Avenue, located on the east side of McHenry, north of Claratina Avenue. Owners: Ewald H. and Mary A. Kruse and Allen R. and Carolyn Grant.
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City but a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 90-581 adopted approving agreement. (P/W to handle)

CONSENT

14. Consider authorizing City Manager to sign an application for \$5,925 in funding under the California Wildlife, Coastal and Park Land Conservation Bond Act of 1988 for the Forestation of the Secondary Wastewater Treatment Plant.
(Memo with agenda. Resolution authorizing application needed.)

ACTION: Res. 90-582 adopted authorizing application. (P/R to handle)

CONSENT

15. Consider authorizing the City Manager to sign an agreement with the law firm of Cardozo, Nickerson, Martelli, Curtis & Arata to represent the City of Modesto, County of Stanislaus and City of Ceres in the lawsuit Dostal v. City of Modesto, et. al.
(Memo with agenda. Resolution approving needed.)

ACTION: Res. 90-583 adopted approving agreement. (Attorney to handle)

CONSENT

16. Consider authorizing the City Manager to sign an agreement with Dr. Philip Trompeter to provide mental health services for sworn police officers.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$29,480. Funds are included in the 1990-91 budget.)

ACTION: Res. 90-584 adopted approving agreement. (Police to handle)

17. Consider Planning Commission recommendation concerning drought-resistant landscaping.
(The Planning Commission recommends that the City Council direct staff to prepare a drought-resistant landscape ordinance and associated activities. Memo with agenda. Motion directing staff to prepare an ordinance needed.)

Dropped from agenda

CONSENT

18. Consider amending the 1989-90 Final Statement of Community Development Objectives by approving an agreement with Modesto Independent Living Center to survey the available housing stock in Modesto to determine handicapped accessibility of housing and to interest property owners in making more housing accessible to handicapped persons, under the Community Development Block Grant program for 1989-90.
(Memo with agenda. Resolution amending the 1989-90 CDBG program by approving agreement with Modesto Independent Living Center needed. Estimated cost: \$22,000. Funds are budgeted.)

ACTION: Res. 90-585 adopted approving agreement. (Planning to handle)

CONSENT

19. Consider changing the balance of unused loan funds of \$12,150 for building Hutton House for runaways to a grant for Center for Human Services by making a Second Modification of Trust Deed Note under the Community Development Block Grant Program.
(Memo with agenda. Resolution approving needed. Estimated cost: \$12,150. Funds are budgeted.)

ACTION: Res. 90-586 adopted approving changing the balance. (Planning to handle)

MATTERS TOO LATE FOR THE AGENDA

20. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

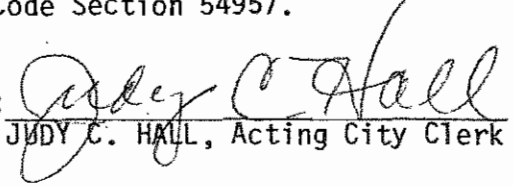
CLOSED SESSION

21. Closed session regarding Hodges vs. City of Modesto, pursuant to Government Code Section 54956.9 (a).

ADJOURNMENT

This meeting adjourned at 4:58 p.m. to June 14, 1990, at 3:00 p.m. for a closed session to consider the evaluation of performance of certain public employees, pursuant to Government Code Section 54957.

ATTEST:


JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned session at 3:00 p.m., June 14, 1990, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson,
Mayor Whiteside

Absent: None

The meeting adjourned at 3:00 p.m. to closed session to consider the evaluation of performance of certain public employees, pursuant to Government Code Section 94957.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

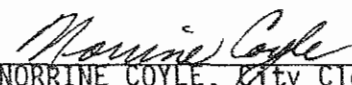
City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 7:00 p.m., June 19, 1990, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Dobbs, Irizarry, Lang, Muratore, Patterson,
Acting Mayor Bird
Councilmember Muratore arrived at 7:15 p.m.

Absent: Mayor Whiteside

The meeting adjourned at 7:01 p.m. to closed session regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees to review the City's position and instruct staff, pursuant to Government Code Section 54957.6.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 19, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Dobbs, Irizarry, Lang, Muratore,
Patterson, Vice Mayor Bird

Absent: Mayor Whiteside

Pledge of allegiance to the Flag

Invocation: Rev. John Randell, Calvary Temple

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 8, 9, 10, 11,
12, 13, 14, 16, 17

Removed from consent: 5

ACTION: (Lang/Dobbs, unan., Mayor Whiteside absent)

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Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular and regular City Council meetings of June 12, 1990, and the corrected minutes of the regular meeting of April 17, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Bill McCormick spoke about religious activities in Council meetings.

UNFINISHED BUSINESS

CONSENT

4. Final adoption of Ordinance No. 2715-C.S., rezoning from R-2 to P-D(471), property on the north side of Scenic Drive, west of Coffee Road. (Roman Catholic Bishop of Stockton)
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2715-C.S. adopted. (Clerk to handle)

BIDS

5. Consider waiving formal bid procedures and authorize the purchase and installation of two adsorption systems from Calgon Carbon Corporation for the total price of \$403,750.
(Memo with agenda. Resolution waiving formal bid procedures and authorize the purchase and installation of adsorption system from Calgon Carbon Corp. needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-587 adopted (Dobbs/Muratore, unan., Whiteside absent)
waiving formal bid procedure. (Finance to handle)

CONSENT

6. Consider waiving formal bid procedures and authorize the purchase of bulk gasoline and diesel fuels from the best available sources for the fiscal year 1990-91.

(Memo with agenda. Resolution waiving formal bid procedures and authorize the purchase of bulk fuels from the best available sources for fiscal year 1990-91. (Five affirmative votes needed.) Estimated cost: \$1,033,379. Funds are budgeted.)

ACTION: Res. 90-588 adopted waiving formal bid procedures. (Finance to handle)

NEW BUSINESS

CONSENT

7. Consider authorizing Public Works & Transportation Department to apply to the California Energy Commission for a street light conversion loan to upgrade existing mercury vapor street lights.

(Memo with agenda. Resolution approving needed.)

ACTION: Res. 90-589 adopted approving application. (P/W to handle)

CONSENT

8. Consider authorizing the City Manager to execute a grant reapplication for fourth year funding in the amount of \$99,000 to the State of California, Office of Criminal Justice Planning for the Modesto Gang Violence Suppression Program.

(Memo with agenda. Resolution authorizing City Manager to execute reapplication needed. Estimated cost: \$19,800. Funds are budgeted.)

ACTION: Res. 90-590 adopted authorizing reapplication. (Police to handle)

CONSENT

9. Consider establishing a new Capital Improvement Project titled "Jefferson Street Lift Station" and approving an appropriation transfer from the sewer reserve to fund the project.

(Memo with agenda. This project is needed to alleviate a capacity problem on the Jefferson Street sewer trunk. Resolution approving new project, and resolution approving appropriation transfer needed. Estimated cost: \$228,000.)

ACTION: Res. 90-591 adopted approving new project.
Res. 90-592 adopted approving appropriation transfer. (P/W and Finance to handle)

CONSENT

10. Consider approval of the final map of California Chardonnay Unit 2 Subdivision of the City of Modesto and accepting the improvements. Subdivider: Kaufman and Broad.
(All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. California Chardonnay Unit 1 is located north of West Whitmore Avenue and east of Ustick Road. It contains 24.93 acres. Memo with agenda. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 90-593 adopted approving final map. (Clerk to handle)

CONSENT

11. Consider approving amendment to lease agreement with Modesto Executive Air Charter, Inc., for their lease of Corporate Hangar Plots 3 and 4 at the Modesto Airport.
(Lease needs to be amended to reflect some new terms. Memo with agenda. Resolution approving amendment needed.)

ACTION: Res. 90-594 adopted approving amended agreement. (Attorney to handle)

CONSENT

12. Consider approving agreement with Insight Aviation for their lease of Hangar No. 2 at the Modesto Airport, and approving agreement with Darold Jolliff for the lease of a portion of Hangar No. 1 at the Airport.
(The first lease is a renewal of an existing lease, and the second is a new lease. Memo with agenda. Two resolution approving amendments needed.)

ACTION: Res. 90-595 adopted approving amended agreement with Insight Aviation.
Res. 90-596 adopted approving amended agreement with Darold Jolliff. (Attorney to handle)

CONSENT

13. Consider authorizing the hiring of four temporary Account Clerks to serve as backfill for staff assigned to the utility billing software implementation project.
(Memo with agenda. Resolution authorizing hiring needed. Estimated cost: \$60,000. Funds are budgeted.)

ACTION: Res. 90-597 adopted authorizing hiring. (Finance to handle)

CONSENT

14. Presentation of monthly Treasurer's Report for May, 1990.
(Report with agenda. Motion acknowledging report needed.)

ACTION: By motion, report acknowledged.

WRITTEN COMMUNICATIONS

15. Letter from Jim Van Heukelem concerning development fees at the Airport.

Mr. Van Heukelem not present. No action taken.

CONSENT

16. Letter from Hal F. Seibert, on behalf of Terry Angeles, requesting permission to file a late claim.
(Resolution denying request needed.)

ACTION: Res. 90-598 adopted denying request. (Clerk to handle)

MISCELLANEOUS

Legislation

CONSENT

17. Staff recommends:

- a. Support of AB 2527 (O'Connell) Safe Drinking Water Bond Act of 1990
- b. Opposition to SB 2733 (Rosenthal) Minimum Standards and Retrofitting for Playgrounds.

(Memos with agenda. Motion approving recommendations needed.)

ACTION: By motion, recommendations approved. (Manager to handle)

MATTERS TOO LATE FOR THE AGENDA

18. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 7:44 p.m.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 26, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: Councilmember Bird

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 7, 9, 11, 12, 13, 14,
15, 26, 17, 18, 19, 20, 21, 22, 23,
24, 25, 26, 27, 28, 29

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

Mayor Whiteside designated Councilmember Lang as Mayor pro tem.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Item 6
(Mayor Whiteside excused due to a
conflict of interest.)

ACTION: (Patterson/Muratore, unan., Bird and Mayor Whiteside absent)

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A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

- a. Acceptance of weight training equipment from Sportsmen of Stanislaus for Maddux Youth Center.
(Memo with agenda. Motion accepting equipment and acknowledging donation needed.)

ACTION: By motion (Dobbs/Irizarry, unan., Bird absent) equipment accepted.
(P/R to handle)

- b. Acknowledge receipt of the 1990 Environmental Achievement Award from Renew America for the Modesto Recycles! program.
(The Modesto Recycles! program passed a rigorous verification process and won an Achievement Award. As part of the award, the Modesto Recycles! program will be listed in the Environmental Success Index, serving as a model for communities throughout the United States. Motion acknowledging receipt of award needed.)

Jane Hinshaw presented the award to the City Council.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of June 14, 1990, and regular City Council meeting of June 19, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

CONSENT

4. Further consideration of Fourth of July celebration appropriation.
(Due to denial of \$2,000 contribution by County, additional appropriation by City Council is requested by the Fourth of July Celebration Committee. Motion approving recommendation needed.)

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

HEARINGS

5. Hearing to consider an amendment to Section 21-3-9 of the Zoning Map to repeal P-D(366) and rezone to R-1, property located on the north side of East Orangeburg Avenue, west of Coffee Road. (Hillhaven)

ACTION: By motion (Irizarry/Patterson, unan.) Ord. No. 2716-C.S. introduced.
(Clerk to handle)

BIDS

CONSENT (MAYOR WHITESIDE EXCUSED DUE TO A CONFLICT OF INTEREST)

6. Consider approving plans and specifications and call for bids for Dry Creek bike and pedestrian bridge and certifying negative declaration by Environmental Assessment Committee.
(Suggested bid opening: July 19, 1990, at 11:00 a.m. This project will cross Dry Creek connecting the existing bike and pedestrian trail with Scenic Drive and Coffee Road. Memo with agenda. Resolution approving plans and specifications and call for bids, and resolution certifying Negative Declaration by Environmental Assessment Committee needed.
Estimated cost: \$194,000 (contract - \$177,000; eng. & cont. - \$17,700)
Funds are budgeted.)

ACTION: Res. 90-599 adopted calling for bids.
Res. 90-600 adopted certifying Negative Declaration by Environmental Assessment Committee. (P/W to handle)

CONSENT

7. Consider approving plans and specifications and calling for bids for traffic signal construction and striping modifications at the following locations:
Briggsmore Avenue at Lakewood Avenue
Carpenter Road at Kansas Avenue
Coffee Road at Norwegian Avenue
Coffee Road between Briggsmore Avenue and Scenic Drive
Coffee Road between Ensenada Drive and Spanos Court
(Suggested bid opening: July 31, 1990, 11:00 a.m. Memo with agenda. Three traffic-actuated signals with protected left-turn phases are proposed along with restriping two sections of Coffee Road. Resolution approving plans and specifications and calling for bids needed.
Estimated cost: \$583,000. Funds are partially budgeted in the 1990-91 budget. Additional funds will be requested after bids are received and the exact amount needed is known.)

ACTION: Res. 90-601 adopted calling for bids. (P/W to handle)

CONSENT

9. Consider acceptance of D. B. Construction's contract for the Roselle Avenue canal crossing at M.I.D. Lateral No. 3. Original contract: \$199,457.50.
(All work on this project has been completed to the satisfaction of the Public Works and Transportation Department. It is, therefore, in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$207,107.49. Funds are budgeted.)

ACTION: Res. 90-602 adopted accepting as complete. (Clerk to handle)

NEW BUSINESS

10. Consider Planning Commission recommendation concerning drought-resistant landscaping.
(The Planning Commission recommends that the City Council direct staff to prepare a drought-resistant landscape ordinance and associated activities. Memo with agenda. Motion directing staff to prepare an ordinance needed.)

ACTION: By motion (Patterson/Dobbs, unan., Bird absent) staff directed to prepare a policy. (P/R to handle)

CONSENT

11. Consider amendment of the Annual Budget of the City of Modesto for the 1989-90 fiscal year to provide for the establishment of various reserve appropriations prior to closing the City's books for the fiscal year ending June 30, 1990.
(This is an annual identification of reserves to comply with Article XIII B of the State Constitution. Memo with agenda. Resolution authorizing establishment of reserves needed.)

ACTION: Res. 90-603 adopted authorizing establishment of reserves. (Finance to handle)

CONSENT

12. Consider salaries and benefits for fiscal year 1990-91.
(Memo with agenda. Estimated cost: \$241,500. Funds included in 1990-91 budget. Seven resolutions needed.)

ACTION: Res. 90-604 adopted approving Memorandum of Understanding with Modesto City Employees Association.
Res. 90-605 adopted approving Memorandum of Understanding with Modesto Police Officers Association.
Res. 90-606 adopted approving Memorandum of Understanding with the Modesto Fire Fighters Association.
Res. 90-607 adopted establishing salary ranges, schedules & compensation for City employees.
Res. 90-608 adopted setting salaries for Council appointees.
Res. 90-609 adopted approving agreement with Family Service Agency.
Res. 90-610 adopted modifying the long term disability insurance for City employees. (Finance/Manager to handle)

CONSENT

13. Consider adoption of the Fiscal Year 1990-91 Annual Budget, including the first year of the Four-Year Capital Improvement Program.
(Memo with agenda. Adoption of an ordinance adopting the budget needed.)

ACTION: By motion, Ord. No. 2717-C.S. adopted. (Clerk to handle)

CONSENT

14. Consider revising 1989 wastewater permit violation fines for industrial users.
(Memo with agenda. Resolution adopting wastewater permit violation fines.)

ACTION: Res. 90-611 adopted adopting wastewater permit violation fines.
(P/W to handle)

CONSENT

15. Consider excusing Councilmember Muratore for being absent from the June 12, 1990, meeting due to his representing S.A.A.G. at a Council of Governments meeting; and excusing Mayor Whiteside for being absent from the June 19, 1990, meeting due to her attendance at the U. S. Conference of Mayors conference.
(Motion excusing absences needed.)

ACTION: By motion, absences excused. (Clerk to handle)

CONSENT

16. Consider request for water service to property outside City limits on the southwest corner of McHenry Avenue and Bangs. Owners: Diane Berberian Gazarian, et al
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City, but a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 90-612 adopted approving agreement. (P/W to handle)

CONSENT

17. Consider request for sewer service to property outside City limits at 1413 Inyo Street, located on the north side of Inyo, east of Ustick Road. Owner: Rafael Salazar
(The property owner has signed an agreement to annex when requested to do so by City. The property is not contiguous to City, but a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 90-613 adopted approving agreement. (P/W to handle)

CONSENT

18. Consider acceptance of improvements in Scenic Estates Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Douglas Highiet (Scenic Estates is located north of Scenic Drive and east of Sunnyside Avenue. All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 90-614 adopted accepting improvements as complete.
(Clerk to handle)

CONSENT

19. Consider authorizing City Manager to sign a reimbursement agreement with the William Lyon Company for street improvements in Claus Road and authorizing an appropriation transfer. (Memo with agenda. City is responsible for pavement construction in Claus Road which is more than 40 feet from the property line. Developer has requested permission to construct the City's required pavement and reimbursement is needed. Resolution approving agreement and resolution approving appropriation transfer needed. Estimated cost: \$161,670.29.)

ACTION: Res. 90-615 adopted approving agreement.
Res. 90-616 adopted approving appropriation transfer.
(P/W and Finance to handle)

CONSENT

20. Consider an appropriation transfer of \$3,000 to fund all-way stop sign installation at Lakewood and Middleboro. (Memo with agenda. This responds to requests from area residents. Funds are budgeted for the signs, but not for raised traffic islands to protect the signs. Resolution approving appropriation transfer needed.)

ACTION: Res. 90-617 adopted approving appropriation transfer.
(Finance to handle)

CONSENT

21. Consider an appropriation transfer of \$5,112 from the Contingency Reserve of the Downtown Improvement District Fund. (June, 1989, expenses totaling \$5,112 were not accrued last year but were charged against the 1989-90 budget. Approval of this transfer to the operating budget will enable June, 1990, expenses to be paid from the proper fiscal year. Resolution approving appropriation transfer needed.)

ACTION: Res. 90-618 adopted approving appropriation transfer.
(Finance to handle)

CONSENT

22. Consider request for refund of \$620.40 for overpayment of Business Improvement Area Tax by Modesto Lumber Company. (Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-619 adopted approving refund. (Finance to handle)

CONSENT

23. Consider approval of agreement with Nancy M. Young, Executive Director, Downtown Improvement District.
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$49,800. Funds are budgeted.)

ACTION: Res. 90-620 adopted approving agreement. (Planning to handle)

CONSENT

24. Consider authorizing issuance of a change order to the Public Facilities District No. 6 contract to construct an 18" sewer line in Coffee Road from Rumble Road to Sylvan Meadows Drive and approving an appropriation transfer.
(Memo with agenda. Resolution approving contract change order and resolution approving appropriation transfer needed. Estimated cost: \$290,177 (construction - \$263,798; eng. & cont. - \$26,379).)

ACTION: Res. 90-621 adopted approving contract change order.
Res. 90-622 adopted approving appropriation transfer. (P/W to handle)

CONSENT

25. Consider approval of the final map of River Bend Estates Subdivision of the City of Modesto and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code.
Subdividers: Daniel M. & Joan Dickey
(The subdivision agreement has been signed and all fees paid. River Bend Estates is located north of Hatch Road between Ustick Road and Boise Avenue. It contains 12.315 acres. Resolution approving final map needed.)

ACTION: Res. 90-623 adopted approving final map. (Clerk to handle)

CONSENT

26. Consider increasing the Self-Insured Retention (Workers' Compensation) and renewing Excess Workers' Compensation Insurance policy with National Union (AIG) Insurance Company.
(Memo with agenda. Resolution approving needed. Estimated cost: \$54,000. Funds are budgeted.)

ACTION: Res. 90-624 adopted approving increase and renewal of policy. (Attorney to handle)

CONSENT

27. Consider approval of additional costs for Village One Specific Plan Program.
(Memo with agenda. A request has been received for \$63,910 for additional services. Motion approving additional scope of services and budget for ROMA and approving amended contract with ROMA Design Group, approving additional scope of services and budget for EPS and approving amended contract with EPS, approving additional scope of services and budget for EIP Associates, and approving printing Village One Draft, Final and brochure documents; and resolution amending the budget to transfer funds from the General Reserve to the Village One account needed.)

ACTION: By motion, additional scope of services and budget for ROMA approved.
Res. 90-625 adopted amending contract with ROMA Design Group.
Res. 90-626 adopted amending contract with EPS.
Res. 90-627 adopted amending the budget.

(Planning/Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

28. Letter from Jack Jones, on behalf of Modesto Garbage Company, Inc., requesting that a hearing be set concerning extension of the Company's franchise to December 31, 1998.
(Resolution setting hearing July 24, 1990, at 4:00 p.m. needed.)

ACTION: Res. 90-628 adopted setting hearing. (Clerk to handle)

CONSENT

29. Letter from Allen Grant concerning staffing the Centre Plaza parking garage.
(Motion referring to staff for report and recommendation needed.)

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

MATTERS TOO LATE FOR THE AGENDA

30. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

CLOSED SESSION

31. Closed session to consider the evaluation of performance of certain public employees, pursuant to Government Code Section 54957.

Closed session to consider pending litigation pursuant to Government Code Section 54956.9(a).

ADJOURNMENT

The meeting adjourned at 4:35 p.m. to closed session.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session which convened at 10:00 p.m., July 3, 1990, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson,
Mayor Whiteside

Absent: None

The meeting adjourned at 10:01 p.m. to closed session to consider the evaluation of performance of certain public employees, pursuant to Section 54957 of the Government Code.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 3, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Bud LaCore, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 7, 8, 10, 11, 12, 14

Removed from consent: 12

ACTION: (Lang/Patterson, unan.)

ACTION: (Lang/Bird, unan.) continued items 4, 10 to the July 24, 1990 agenda.

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WPCC176

1

7-3-90

222-79

250-79

252-79

8/7/90

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Councilmember Lang acknowledged trophies presented by Frank Russo to Councilmembers Irizarry, Lang, Muratore and Mayor Whiteside in appreciation for their help with the boy's baseball program.

Councilmember Muratore acknowledged the success of the Sons of Italy Conference at Centre Plaza and Red Lion.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of June 26, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

CONSENT

4. Presentation of report on economic development, as requested by Council at its April 8, 1990, study session.
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, continued to July 24, 1990. (Clerk to handle)

CONSENT

5. Final adoption of Ord. No. 2716-C.S. amending the Zoning Map to repeal P-D(366) and rezone to R-1, property located on the north side of East Orangeburg Avenue west of Coffee Road Hillhaven).
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2716-C.S. adopted. (Clerk to handle)

HEARINGS

6. Hearing to consider an amendment to Section 27-3-9 of the Zoning Map to rezone from R-1 to P-D(475), property located on the north side of Scenic Drive east of Rose Avenue. (Richardson)

ACTION: By motion (Irizarry/Muratore, majority, Dobbs and Whiteside-no) Ord. No. 2718-C.S. introduced.
Res. 90-629 adopted approving plan.
Res. 90-630 adopted certifying review of Environmental Assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for the 1990 street slurry seal project.
(Suggested bid opening: July 26, 1990, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$210,670.35 (contract - \$191,518.50; eng. & cont. - \$19,151.85). Funds are budgeted.)

ACTION: Res. 90-631 adopted calling for bids. (P/W to handle)

CONSENT

8. Consider acceptance of W. M. Lyles Co.'s contract for the waterline across 99 Freeway Bridge. Original contract: \$428,000
(Memo with agenda. All work on this project has been completed do the satisfaction of the Public Works and Transportation Department. It is, therefore, in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$472,415.48. Funds are budgeted.)

ACTION: Res. 90-632 adopted accepting work as complete. (Clerk to handle)

NEW BUSINESS

9. Consider approval of wording for an advisory ballot measure for sewer service to Village One and calling a Special Election on November 6, 1990. (This sewer service extension is for the Village One area. Memo with agenda. Motion approving ballot wording; resolution calling Special Election and requesting the Stanislaus County Board of Supervisors to consolidate the City's Special Election with the November 6, 1990, General Election. Estimated cost: \$25,000. Funds are budgeted.)

ACTION: Res. 90-633 adopted (Lang/Patterson, unan.) calling for a Special Election.
Res. 90-634 adopted (same vote) requesting that the County consolidate the City's Special Election with the November 6, 1990 General Election. (Clerk to handle)

WPCC176

3

7-3-90

224-79

250-79

252-79

8/7/90

CONSENT

10. Consider amending the Modesto Municipal Code relating to qualifications for rebate of plan check fees, building fees, and water connection charges for industrial buildings.
(Memo with agenda. Introduction of ordinance amending the Municipal Code needed.)

ACTION: By motion, continued to July 24, 1990. (Clerk to handle)

CONSENT

11. Consider authorizing the City Manager to execute a memorandum of understanding with the Empire Union School District to provide Modesto Police Department services in connection with the Comprehensive Alcohol Drug Prevention Education (CADPE) Program.
(Memo with agenda. Resolution approving memo of understanding needed.)

ACTION: Res. 90-635 adopted approving memo or understanding.
(Police to handle)

12. Consider approving an agreement with Robert C. Arthur for drafting services.
(Memo with agenda. Funds are budgeted in the 1990-91 Water and Sewer Capital Improvement Program. Resolution approving agreement needed. Estimated cost: \$27,000. Funds are budgeted.)

ACTION: Res. 90-636 adopted (Lang/Dobbs, unan.) approving agreement.
(P/W to handle)

13. Consider directing staff to prepare a proposed policy concerning school impact mitigations.
(The Public Projects Committee, at its June 14, 1990, meeting, recommended that the City Council adopt a policy requiring that identified adverse school impacts arising from proposals for General Plan amendments and/or zone changes to permit residential development be addressed by mitigations measures, environmental impact reports, or any other alternative means available. Motion directing staff to prepare policy needed.)
Councilmember Dobbs excused due to a conflict of interest.

ACTION: By motion (Lang/Whiteside, unan., Dobbs absent) staff directed to prepare policy.
(Planning to handle)

CONSENT

14. Consider Capital Facilities Fees for recreation building in residential projects.
(The Infrastructure Staff Task Force recommends that recreation buildings primarily to serve residential projects be deemed ancillary uses, and that the Capital Facilities Fees charged on a dwelling unit or room basis be deemed sufficient. If this recommendation is supported, that an item be placed on a future agenda to consider rebating \$2,323 of Capital Facilities Fees to the developers of a senior citizen apartment complex. Memo with agenda. Motion approving recommendation needed.)

ACTION: By motion, recommendations approved. (Planning to handle)
WPCC176 4 7-3-90

MATTERS TOO LATE FOR THE AGENDA

15. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 10:00 p.m. to Tuesday, July 10, 1990, at 2:00 p.m. in the City Hall Third Floor Conference Room, to hold a study session concerning downtown redevelopment.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned session at 2:00 p.m., July 10, 1990, in the Third Floor Conference Room, City Hall, Modesto, California, for a study session.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson,
Mayor Whiteside

Councilmember Patterson arrived at 2:12 p.m.

Absent: None

Councilmember Bird was excused due to a conflict of interest.

Jim Burns, consultant with Burns & Watry, commended the City Council on undertaking a redevelopment project and described the redevelopment process and decisions that will need to be made.

There was also a brief discussions of the proposed agreement with the County concerning the downtown location of the social services building.

The meeting adjourned at 3:03 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 10, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Truman Northup, Retired, Church of the Brethren

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 9, 10, 11, 12, 13, 17,
18, 19, 20, 21, 23, 24, 25, 26

ACTION: (Lang/Muratore, unan.)

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WPCC178

1

7-10-90

227-79

257-79

8/11/90
8/11/90

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

- 2. Approval of the minutes of the regular and special City Council meetings of July 3, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

- 3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

- 4. Consider Planning Commission recommendations and staff report on City Council Goals and Objectives - Improving Traffic Flow.
(Memo with agenda. Motion acknowledging receipt of recommendations and report, and directing staff to take further action as desired needed.)

ACTION: By motion (Bird/Patterson, unan.) staff report accepted and staff directed to schedule a joint Council-Planning Commission study session on this subject. (P/W to handle)

HEARINGS

- 5. Hearing to consider the levy and collection of the proposed annual assessment for Dry Creek Meadows Subdivision Landscape Maintenance Assessment District No. 1.

ACTION: Res. 90-637 adopted (Irizarry/Bird, unan.) confirming diagram and assessment and levying assessment for Fiscal Year 1990-1991. (P/W to handle)

- 6. Hearing to consider the levy and collection of the proposed annual assessment for Dry Creek Meadows Subdivision Landscape Maintenance Assessment District No. 2.

ACTION: Res. 90-638 adopted (Irizarry/Bird, unan.) confirming diagram and assessment and levying assessment for Fiscal Year 1990-1991. (P/W to handle)

7. Hearing to consider the Chicago-Briggs Reorganization consisting of the annexation of the subject territory to the City of Modesto and the Modesto Municipal Sewer District No. 1, and detachment from the Burbank-Paradise Fire Protection District.

ACTION: Res. 90-639 adopted (Muratore/Lang, unan.) annexing. (Clerk to handle)

BIDS

CONSENT

8. Consider approving specifications and authorize call for bids to be opened July 30, 1990, at 11:05 a.m. for furnishing bare root trees. (Requested by the Trees Division of the Parks & Recreation Department, the trees will be nurtured at the City nursery and planted as new or replacement street trees. Resolution approving specifications and calling for bids needed. Estimated cost: \$30,000. Funds are budgeted.)

ACTION: Res. 90-640 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened July 30, 1990, at 11:00 a.m. for furnishing two rebuilt diesel bus engines, with an option to purchase up to three additional engines up to December 31, 1990, if necessary. (Requested by the Service Division of the Public Works & Transportation Department, the engines are needed to replace two City Transit bus engines that are near the end of their serviceable life. Additional engines may need to be replaced by December 31, 1990. Resolution approving specifications and calling for bids needed. Estimated cost: \$28,000 for two engines needed now; \$70,000 if a total of five engines are purchased. Funds are budgeted.)

ACTION: Res. 90-641 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider award of contract for the 18" water line in Crows Landing Road, Zeff Road, Tuolumne Boulevard and 10th Street to W. M. Lyles Co. (Bids were opened on June 28, 1990. The low bid of \$639,878.40, submitted by W. M. Lyles Co. is 16.37% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to W. M. Lyles Co. Memo and bid tabulation with agenda. Resolution awarding contract to W. M. Lyles Co. needed. Estimated cost: \$703,866.24 (contract -- \$639,878.40; eng. & cont. -- \$63,987.84) Funds are budgeted.)

ACTION: Res. 90-642 adopted awarding contract. (P/W to handle)

WPCC178

3

7-10-90

229-79

252-19

252-19

8/1/90

CONSENT

11. Consider award of \$1,728,827.94 contract to Gillig Corporation for the purchase of nine transit buses.
(Memo with agenda. Delivery of buses may occur as early as January, 1991. Resolution awarding contract to Gillig Corporation needed. Funds are budgeted.)

ACTION: Res. 90-643 adopted awarding contract. (P/W to handle)

CONSENT

12. Consider waiving formal bid procedures and authorize the purchase of a printing press system from A. B. Dick Corp. for the total price of \$39,985.
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-644 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

13. Consider reduction of retention on the Roselle Avenue canal crossing at M.I.D. Lateral #3.
(Memo with agenda. Resolution approving reduction of retention to 5% needed.)

ACTION: Res. 90-645 adopted approving reduction of retention. (P/W to handle)

NEW BUSINESS

14. Consider approving procurement policy on purchasing recycled products.
(Memo with agenda. Resolution approving procurement policy on purchasing recycled products needed. Approximate cost: \$21,500.)

ACTION: Res. 90-646 adopted (Patterson/Muratore, unan.) approving policy. (Finance to handle)

15. Consider a policy establishing an installment payment program to assist homeowners in the cost of repairing house sewer line within the public right of way for owner-occupied, single-family dwellings inside the City limits. This repair program will apply strictly to those house sewer lines damaged by City street tree root intrusion.
(Memo with agenda. Resolution adopting policy establishing an installment payment program needed.)

ACTION: A motion to approve staff recommendation, but to include rental properties also, failed to carry (Lang/Whiteside, Bird, Irizarry, Muratore, Patterson-no)

By order of the Chair, the policy was referred back to staff for further study. (P/W to handle)

WPCC178

4

7-10-90

230-79

8/1/90

16. Consider selection of a process to respond to the "Stanislaus County Regional Expressway Study" of June 14, 1990.
(Fehr and Peers is under contract with SAAG to prepare the subject study. The study poses key alternatives warranting City response, such as alternate alignments for the westerly and northerly legs of the expressway loop and alternatives for expressway plan implementation. Memo with agenda. Motion directing staff as to preferred process needed.)

ACTION: By motion (Patterson/Bird, unan.) recommendations approved. (P/W to handle)

CONSENT

17. Consider approving rebate of Capital Facilities Fees for a recreation building in a senior citizen apartment complex.
(Memo with agenda. Resolution approving rebate of \$2,323 for the Houser Glen Senior Citizen Apartments needed.)

ACTION: Res. 90-647 adopted approving rebate. (Planning to handle)

CONSENT

18. Consider approving agreement with Lolita B. Santiago for the acquisition of .07+ acres of right of way from her property for Public Facilities District No. 6.
(Mrs. Santiago has agreed to sell the required right of way for the appraised value of \$9,066. Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 90-648 adopted approving agreement. (Atty to handle)

CONSENT

19. Consider adopting an Inducement Resolution which states the Council's intent to purchase right of way at the Sisk-Standiford intersection with the intention of assessing the cost back to an assessment district.
(Memo with agenda. Resolution relating to right of way acquisition at the Sisk-Standiford intersection.)

ACTION: Res. 90-649 adopted stating Council's intent to purchase right of way with the intention of assessing the cost back to an assessment district. (P/W to handle)

CONSENT

20. Consider approving agreement with Jerry E. and Andrea Powell regarding the Mancini house.
(The Powells have been caretakers of the Mancini house for several years, and their lease needs to be changed from a caretaker arrangement to a lease arrangement. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-650 adopted approving agreement. (Atty to handle)

CONSENT

21. Consider approving agreements awarding grants to produce original programs for the public access channel on cable television.
(Memo with agenda. Resolution authorizing City Manager to sign agreements awarding cable grants needed. Estimated cost: \$3,461.50. Funds are budgeted.)

ACTION: Res. 90-651 adopted awarding grant to Leadership Modesto Alumni.
Res. 90-652 adopted awarding grant to Stanislaus County Mayor's Committee for Employment of Persons with Disabilities.
Res. 90-653 adopted awarding grant to Debra Orvis.
(Manager to handle)

22. Consider proposed Charter amendment on disciplinary appeals, and calling a special municipal election and placing the measure on the ballot on November 6, 1990.
(Memo with agenda. Resolution approving placing Charter amendment on the ballot, and resolution calling a special municipal election on November 6, 1990. Estimated cost: \$10-15,000. Funds are budgeted.)

ACTION: Res. 90-654 adopted (Bird/Patterson-majority, Lang and Whiteside-no) approving placing Charter amendment on the ballot.
Res. 90-655 adopted (same vote) calling a special municipal election.
(Clerk to handle)

CONSENT

23. Consider renewal of the City's property insurance through Fireman's Fund Insurance Co., July 1, 1990-91.
(Memo with agenda. Resolution approving renewal of property insurance needed. Estimated cost: \$60,600. Funds are budgeted.)

ACTION: Res. 90-656 adopted approving renewal of City's property insurance.
(Atty to handle)

CONSENT

24. Consider authorizing City Manager to sign a reimbursement agreement with A & M. Industries, Inc., for the installation of a 10" water line in Lone Palm Avenue.
(The owner installed a 10" water line in Lone Palm Avenue and has requested reimbursement for a portion of the water connection charges collected by City from other properties which connect directly to the water line. Memo with agenda. No cost to City. Resolution approving agreement needed.)

ACTION: Res. 90-657 adopted approving agreement. (P/W to handle)

CONSENT

- 25. Consider authorizing City Manager to sign a reimbursement agreement with The William Lyon Co. for the installation of a 18" sanitary sewer subtrunk in Claus Road.
(Dry Creek Meadows No. 10 subdivision is located on Claus Road and Yosemite Boulevard. The developer has requested permission to install City's sewer subtrunk line in order to reduce time delays. An agreement is needed to allow reimbursement for construction costs. Memo with agenda. Estimated cost: \$101,287.50. Resolution approving agreement needed.)

ACTION: Res. 90-658 adopted approving agreement. (P/W to handle)

CONSENT

- 26. Consider acceptance of improvements in Shaker Estates Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Overholtzer Construction (Shaker Estates is located north of West Whitmore Avenue and west of Crows Landing Road. All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 90-659 adopted accepting improvements as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

- 27. Letter from Judie M. Tillman concerning changing the Municipal Code concerning animals and fowl.

ACTION: By order of the Chair, referred to staff. (Planning to handle)

28. MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

CLOSED SESSION

- 29. Closed session to discuss property acquisition in the Merle Neighborhood for a park site on the Polakis property, southwest corner of Sharon and Fine Avenues, pursuant to Section 54955.8 of the Government Code, and to consider the evaluation of performance of certain public employees, pursuant to Section 54957 of the Government Code.

ADJOURNMENT

The meeting adjourned to closed session at 5:28 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

WPCC178

8

7-10-90

234-79

8/1/90

8/1/90



MODESTO CITY COUNCIL

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 17, 1990, AT 7:30 P.M.

NOTICE

THERE WILL BE NO MEETING OF THE CITY COUNCIL
ON TUESDAY, JULY 17, 1990
DUE TO LACK OF A QUORUM

THE NEXT CITY COUNCIL MEETING WILL BE HELD ON
TUESDAY, JULY 24, 1990,
AT 4:00 P.M.



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 7:30 p.m., July 23, 1990, in the Arbor Theatre of Modesto Centre Plaza, 1000 L Street, Modesto, California, for a joint meeting with the Planning Commission.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Mayor Whiteside
Commissioners Alexander, Gallagher, Smith, Chairperson Dunbar

Absent: Councilmember Patterson
Commissioners Fisher, Grover, Martin

After Mayor Whiteside and Chairperson Dunbar made some introductory remarks, a Planning Department staff member outlined the agenda that would be followed during the meeting.

The consultants reviewed the Village 1 planning process and the Draft Environmental Impact Report and answered questions from the Council and Commission members.

The Mayor then opened the hearing on the Village One Specific Plan Draft Environmental Impact Report. The following people had questions about the Draft E.I.R.: Daniel Marsh; Maureen Forney, Ecology Action; Debbe Bailey, Modesto City Schools; Lydia Miller, San Joaquin Raptor Wildlife Rescue Center in Merced; Steve Burke; Frances Kapler, American Baptist Church; Sarah Woods.

The consultants then brought the Council and Commission members up to date on the status of planning for Village 1.

The meeting adjourned at 9:00 p.m.

235A - 79

ATTEST:

Norrine Coyle
NORRINE COYLE, City Clerk

7/23/90

01/1/90



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 24, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. John Terry, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 12, 13, 14, 16, 17,
18, 19, 20, 21, 22, 23, 24, 25, 26

Removed from consent: 9, 10

ACTION: Lang/Bird, unan.

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

- a. Consider Modesto Lions Club's proposal to construct a band shell at Mancini Bowl in Graceada Park.
(Memo with agenda. Motion accepting proposal and directing staff to work with Lions Club needed.)

ACTION: By motion (Patterson/Irizarry, unan.) the band shell was accepted and directed that a letter of appreciation be sent to the Lions Club.
(Manager to handle)

- b. Consider proclaiming Tuesday, August 7, 1990, as "National Night Out" in Modesto.
(National Night Out is August 7 this year. The Police Department, as coordinator for the event, requests City Council support of this crime prevention event. Resolution proclaiming August 7 as "National Night Out" in Modesto needed.) (Forward Modesto IV follow-up: Security/Law Enforcement Task Force: The City Council should revitalize and expand the activities of the Neighborhood Watch program.)

ACTION: Res. 90-660 adopted (Dobbs/Lang, unan.) proclaiming August 7, 1990 as National Night Out.
(Police to handle)

MINUTES

CONSENT

2. Approval of the minutes of the special and regular City Council meetings of July 10, 1990.
(Motion approving needed.)

ACTION: By motion, minutes approved.

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

4. Report on economic development as requested by Council at April 3, 1990, study session.
(Memo with agenda. Motion acknowledging receipt of report needed.)
(Continued from the July 3, 1990, Council meeting.)

ACTION: By motion (Lang/Bird, unan.) receipt of report acknowledged.

WPC180

2

7-24-90

237-79

252-79

8/7/90

5. Consider amending the Modesto Zoning Ordinance to require minimum qualifications for rebate for large manufacturing facilities within industrial zones in the City.
(Memo with agenda. Motion introducing ordinance needed.)
(Continued from the July 3, 1990, Council meeting.)

ACTION: By motion (Dobbs/Lang, unan.) Ord. 2719-C.S. introduced.
(Clerk to handle)

6. Consider staff report on impact of Propositions 108 and 111 on the City of Modesto.
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Muratore/Irizarry, unan.) receipt of report acknowledged.

7. Consider recommendation of Public Projects Committee that timing for development for portions of neighborhoods on the north end coincide with the timing of development of adjacent villages.
(Motion accepting recommendation needed.)

ACTION: By motion (Lang/Patterson, mamority, Irizarry and Whiteside-no) recommendation not accepted.
(Planning to handle)

8. Final adoption of Ordinance No. 2718-C.S. amending the Zoning Map to rezone from R-1 to P-D(475), property located on the north side of Scenic Drive east of Rose Avenue (James C. Richardson).
(Motion adopting needed.)

ACTION: By motion (Muratore/Lang, majority, Dobbs and Whiteside-no) Ord. No. 2718-C.S. adopted.
(Clerk to handle)

9. Presentation of quarterly status report on City Council goals and objectives.
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Lang/Bird, unan.) receipt of report acknowledged.

HEARINGS

10. Hearing to consider the request of Modesto Garbage Company, Inc., for an extension of the Company's franchise for the collection of garbage, industrial garbage and industrial waste to December 31, 1998.
(Memo with agenda. It is recommended that this hearing be continued to November 13, 1990, at 4:00 p.m. Motion continuing hearing needed.)

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2720-C.S. introduced approving extension.
(Clerk to handle)

11. Discussion of City Manager selection process.

No action taken.

CONSENT

- 12. Consider authorizing renewal of the 1990-91 general liability insurance with Authority for California Cities Excess Liability (ACCEL), a Joint Powers Authority.
(Memo with agenda. Estimated cost: \$451,768, including administration expenses. Funds are budgeted.)

ACTION: Res. 90-661 adopted renewing insurance. (Attorney to handle)

CONSENT

- 13. Consider authorizing a Request for Proposals to inspect City buildings for the presence of asbestos.
(Memo with agenda. Resolution authorizing Request for Proposals needed. Estimated cost of project: \$60,000. Funds are budgeted.)

ACTION: Res. 90-662 adopted authorizing Request for Proposals. (Attorney to handle)

CONSENT

- 14. Consider authorizing staff to negotiate a contract with Ad Ventures advertising agency, as recommended by the City/County Joint Transportation Committee, to promote Modesto's Public Transit System.
(Memo with agenda. If authorized by Council, staff will negotiate a contract and return to Council for contract approval. The contract would expire June 30, 1991, and include options for two successive one-year extensions. The amount budgeted for advertising this year is \$45,000. Motion approving recommendation needed.

ACTION: By motion, recommendation approved. (P/W to handle)

- 15. Consider adopting "Modesto Area Express" (MAX) as the new name for Modesto's fixed-route transit system, as recommended by the City-County Joint Transportation Committee, to replace the name "Intracity Transit."
(Memo with agenda. Design of a new logo for the name will commence upon approval of a new name by the Council. A recommended logo will be returned to Council for approval. If approved, the new name and logo will be introduced to the public to coincide with placement into operation of the recently purchased nine new buses (January 1991). Motion approving new name needed.)

ACTION: By motion (Irizarry/Bird, unan.) new name approved. (P/W to handle)

CONSENT

16. Consider approving license agreement with U. S. Department of Commerce, National Oceanic and Atmospheric Administration. (The National Oceanic and Atmospheric Administration needs to place some air monitoring equipment on the Airport for an area-wide study they are conducting. Memo with agenda. Resolution approving license agreement needed.)

ACTION: Res. 90-663 adopted approving license agreement. (Attorney to handle)

CONSENT

17. Consider approving agreement with Matthew S. and Karen D. Alderman for the acquisition of .04 acres of right of way from their property for Public Facilities District No. 6. (The Aldermans have agreed to sell the required right of way for the appraised value of \$6,204 plus \$96 for interest. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-664 adopted approving agreement. (Attorney to handle)

CONSENT

18. Consider excusing Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson, and Mayor Whiteside for being absent from the Council meeting of July 17, 1990, due to their attendance at a League of California Cities meeting. (Motion excusing absences needed.)

ACTION: By motion, absences excused. (Clerk to handle)

CONSENT

19. Consider amending Modesto Municipal Code sections relating to sewer bond redemption and subtrunk extension charges and setting the fees for said sewer bond redemption and subtrunk extension charges. (Memo with agenda. Motion introducing ordinance amending Code and resolution setting fees needed.)

ACTION: By motion, Ord. No. 2721-C.S. introduced. (Clerk/P.W. to handle)
Res. 90-665 adopted setting fees.

CONSENT

20. Consider adopting Public Projects Committee recommendations for the extension of sanitary sewer to serve Johansen High School and park site on the east side of Claus Road, located in the Empire West Neighborhood. (The Public Projects Committee recommends approval of the extension of sanitary sewer to Johansen High School site as approved by the Measure B advisory vote on November 8, 1988. Memo with agenda with specific information regarding the size and alignment of the sewer. Motion adopting recommendations needed.)

ACTION: By motion, recommendations approved. (P/W to handle)

CONSENT

21. Presentation of monthly Treasurer's Report for June, 1990.
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

22. Consider setting annual assessment for administrative costs for Public Facilities District No. 6 at one-half percent of total assessments.
(Memo with agenda. Resolution setting annual assessment needed.)

ACTION: Res. 90-666 adopted setting annual assessment. (Finance to handle)

CONSENT

23. Consider directing City Clerk to submit a copy of the proposed sewer service extension advisory measure and the proposed City Charter amendment measure to the City Attorney for preparation of an impartial analysis of the measure.
(Sewer service extension and Charter amendment measures are being submitted to the voters at the November 6, 1990 election. Memo with agenda. Resolution transmitting a copy of the measures to the City Attorney for impartial analysis needed.)

ACTION: Res. 90-667 adopted transmitting measures to City Attorney.
(Clerk to handle)

CONSENT

24. Consideration of compensation adjustment for City Attorney.
(Memo with agenda. Three resolutions needed.)

ACTION: Res. 90-668 adopted amending the Resolution establishing salary ranges, schedules, and fixing compensation for positions in City service.
Res. 90-669 adopted setting salaries of Council appointees.
Res. 90-670 adopted amending mandatory deferred compensation plan for certain employees and providing an additional two percent contribution for City Attorney. (Manager to handle)

CONSENT

25. Consider approval of the final map of Pine Tree Village Unit No. 3 Subdivision of the City of Modesto and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdivider: James Horn Construction Co.
(The subdivision agreement has been signed and all fees paid. Pine Tree Village Unit No. 3 is located at the northeast corner of Robertson Road and Marlow Street. It contains 12.233 acres. Resolution approving final map needed.)

ACTION: Res. 90-671 adopted approving final map. (Clerk to handle)

MISCELLANEOUS

Legislation

CONSENT

26. Staff recommends:

Supporting:

- a. AB 1490 (Sher) and AB 3050 (Margolin) Beverage Containers
- b. AB 2622 (Eastin) Recycling - Glass Beverage Containers
- c. SB 2748 (Deddeh) Asbestos - Removal Cost Recovery

- d. HR 5170 (Oberstar) Aviation Safety & Capacity Expansion Act of 1990

Opposing:

- e. AB 3385 (Ferguson) Manufactured Housing

(Memo with agenda. Motion accepting recommendations needed.)

ACTION: By motion, recommendations approved. (Manager to handle)

27.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

ACTION: By motion (Patterson/Lang, unan.) it was determined that the need to take action arose after the agenda was prepared.
By motion (Lang/Patterson, unan.) AB 3222 (Isenberg) was opposed.
By motion (Muratore/Irizarry, unan.) SB 433 (Davis) was supported.
(Manager to handle)

CLOSED SESSION

28. Closed session to consider litigation pursuant to Government Code Section 54956.9(b)(1), and to consider the evaluation of certain public employees pursuant to Government Code Section 54957.

ADJOURNMENT

The meeting adjourned at 6:41 p.m. to closed session.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 24, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. John Terry, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 12, 13, 14, 16, 17,
18, 19, 20, 21, 22, 23, 24, 25, 26

Removed from consent: 9, 10

ACTION: Lang/Bird, unan.

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

- a. Consider Modesto Lions Club's proposal to construct a band shell at Mancini Bowl in Graceada Park.
(Memo with agenda. Motion accepting proposal and directing staff to work with Lions Club needed.)

ACTION: By motion (Patterson/Irizarry, unan.) the band shell was accepted and directed that a letter of appreciation be sent to the Lions Club.
(Manager to handle)

- b. Consider proclaiming Tuesday, August 7, 1990, as "National Night Out" in Modesto.
(National Night Out is August 7 this year. The Police Department, as coordinator for the event, requests City Council support of this crime prevention event. Resolution proclaiming August 7 as "National Night Out" in Modesto needed.) (Forward Modesto IV follow-up: Security/Law Enforcement Task Force: The City Council should revitalize and expand the activities of the Neighborhood Watch program.)

ACTION: Res. 90-660 adopted (Dobbs/Lang, unan.) proclaiming August 7, 1990 as National Night Out.
(Police to handle)

MINUTES

CONSENT

2. Approval of the minutes of the special and regular City Council meetings of July 10, 1990.
(Motion approving needed.)

ACTION: By motion, minutes approved.

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

4. Report on economic development as requested by Council at April 3, 1990, study session.
(Memo with agenda. Motion acknowledging receipt of report needed.)
(Continued from the July 3, 1990, Council meeting.)

ACTION: By motion (Lang/Bird, unan.) receipt of report acknowledged.

5. Consider amending the Modesto Municipal Code Section 10-10-10 to qualifications for rebate for large manufacturing facilities within industrial zones in the City.
(Memo with agenda. Motion introducing ordinance needed.)
(Continued from the July 3, 1990, Council meeting.)

ACTION: By motion (Dobbs/Lang, unan.) Ord. 2719-C.S. introduced.
(Clerk to handle)

6. Consider staff report on impact of Propositions 108 and 111 on the City of Modesto.
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Muratore/Irizarry, unan.) receipt of report acknowledged.

7. Consider recommendation of Public Projects Committee that timing for development for portions of neighborhoods on the north end coincide with the timing of development of adjacent villages.
(Motion accepting recommendation needed.)

ACTION: By motion (Lang/Patterson, mamority, Irizarry and Whiteside-no) recommendation not accepted. (Planning to handle)

8. Final adoption of Ordinance No. 2718-C.S. amending the Zoning Map to rezone from R-1 to P-D(475), property located on the north side of Scenic Drive east of Rose Avenue (James C. Richardson).
(Motion adopting needed.)

ACTION: By motion (Muratore/Lang, majority, Dobbs and Whiteside-no) Ord. No. 2718-C.S. adopted. (Clerk to handle)

9. Presentation of quarterly status report on City Council goals and objectives.
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Lang/Bird, unan.) receipt of report acknowledged.

HEARINGS

10. Hearing to consider the request of Modesto Garbage Company, Inc., for an extension of the Company's franchise for the collection of garbage, industrial garbage and industrial waste to December 31, 1998.
(Memo with agenda. It is recommended that this hearing be continued to November 13, 1990, at 4:00 p.m. Motion continuing hearing needed.)

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2720-C.S. introduced approving extension. (Clerk to handle)

NEW BUSINESS

11. Discussion of City Manager selection process.

No action taken.

CONSENT

12. Consider authorizing renewal of the 1990-91 general liability insurance with Authority for California Cities Excess Liability (ACCEL), a Joint Powers Authority.
(Memo with agenda. Estimated cost: \$451,768, including administration expenses. Funds are budgeted.)

ACTION: Res. 90-661 adopted renewing insurance. (Attorney to handle)

CONSENT

13. Consider authorizing a Request for Proposals to inspect City buildings for the presence of asbestos.
(Memo with agenda. Resolution authorizing Request for Proposals needed. Estimated cost of project: \$60,000. Funds are budgeted.)

ACTION: Res. 90-662 adopted authorizing Request for Proposals.
(Attorney to handle)

CONSENT

14. Consider authorizing staff to negotiate a contract with Ad Ventures advertising agency, as recommended by the City/County Joint Transportation Committee, to promote Modesto's Public Transit System.
(Memo with agenda. If authorized by Council, staff will negotiate a contract and return to Council for contract approval. The contract would expire June 30, 1991, and include options for two successive one-year extensions. The amount budgeted for advertising this year is \$45,000. Motion approving recommendation needed.

ACTION: By motion, recommendation approved. (P/W to handle)

15. Consider adopting "Modesto Area Express" (MAX) as the new name for Modesto's fixed-route transit system, as recommended by the City-County Joint Transportation Committee, to replace the name "Intracity Transit."
(Memo with agenda. Design of a new logo for the name will commence upon approval of a new name by the Council. A recommended logo will be returned to Council for approval. If approved, the new name and logo will be introduced to the public to coincide with placement into operation of the recently purchased nine new buses (January 1991). Motion approving new name needed.)

ACTION: By motion (Irizarry/Bird, unan.) new name approved. (P/W to handle)

CONSENT

16. Consider approving license agreement with U. S. Department of Commerce, National Oceanic and Atmospheric Administration.
(The National Oceanic and Atmospheric Administration needs to place some air monitoring equipment on the Airport for an area-wide study they are conducting. Memo with agenda. Resolution approving license agreement needed.)

ACTION: Res. 90-663 adopted approving license agreement. (Attorney to handle)

CONSENT

17. Consider approving agreement with Matthew S. and Karen D. Alderman for the acquisition of .04 acres of right of way from their property for Public Facilities District No. 6.
(The Aldermans have agreed to sell the required right of way for the appraised value of \$6,204 plus \$96 for interest. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-664 adopted approving agreement. (Attorney to handle)

CONSENT

18. Consider excusing Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson, and Mayor Whiteside for being absent from the Council meeting of July 17, 1990, due to their attendance at a League of California Cities meeting.
(Motion excusing absences needed.)

ACTION: By motion, absences excused. (Clerk to handle)

CONSENT

19. Consider amending Modesto Municipal Code sections relating to sewer bond redemption and subtrunk extension charges and setting the fees for said sewer bond redemption and subtrunk extension charges.
(Memo with agenda. Motion introducing ordinance amending Code and resolution setting fees needed.)

ACTION: By motion, Ord. No. 2721-C.S. introduced.
Res. 90-665 adopted setting fees. (Clerk/P.W. to handle)

CONSENT

20. Consider adopting Public Projects Committee recommendations for the extension of sanitary sewer to serve Johansen High School and park site on the east side of Claus Board, located in the Empire West Neighborhood.
(The Public Projects Committee recommends approval of the extension of sanitary sewer to Johansen High School site as approved by the Measure B advisory vote on November 8, 1988. Memo with agenda with specific information regarding the size and alignment of the sewer. Motion adopting recommendations needed.)

ACTION: By motion, recommendations approved. (P/W to handle)

CONSENT

21. Presentation of monthly Treasurer's Report for June, 1990.
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

22. Consider setting annual assessment for administrative costs for Public Facilities District No. 6 at one-half percent of total assessments.
(Memo with agenda. Resolution setting annual assessment needed.)

ACTION: Res. 90-666 adopted setting annual assessment. (Finance to handle)

CONSENT

23. Consider directing City Clerk to submit a copy of the proposed sewer service extension advisory measure and the proposed City Charter amendment measure to the City Attorney for preparation of an impartial analysis of the measure.
(Sewer service extension and Charter amendment measures are being submitted to the voters at the November 6, 1990 election. Memo with agenda. Resolution transmitting a copy of the measures to the City Attorney for impartial analysis needed.)

ACTION: Res. 90-667 adopted transmitting measures to City Attorney.
(Clerk to handle)

CONSENT

24. Consideration of compensation adjustment for City Attorney.
(Memo with agenda. Three resolutions needed.)

ACTION: Res. 90-668 adopted amending the Resolution establishing salary ranges, schedules, and fixing compensation for positions in City service.
Res. 90-669 adopted setting salaries of Council appointees.
Res. 90-670 adopted amending mandatory deferred compensation plan for certain employees and providing an additional two percent contribution for City Attorney. (Manager to handle)

CONSENT

25. Consider approval of the final map of Pine Tree Village Unit No. 3 Subdivision of the City of Modesto and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdivider: James Horn Construction Co.
(The subdivision agreement has been signed and all fees paid. Pine Tree Village Unit No. 3 is located at the northeast corner of Robertson Road and Marlow Street. It contains 12.233 acres. Resolution approving final map needed.)

ACTION: Res. 90-671 adopted approving final map. (Clerk to handle)

MISCELLANEOUS

Legislation

CONSENT

26. Staff recommends:

Supporting:

- a. AB 1490 (Sher) and AB 3050 (Margolin) Beverage Containers
- b. AB 2622 (Eastin) Recycling - Glass Beverage Containers
- c. SB 2748 (Deddeh) Asbestos - Removal Cost Recovery

- d. HR 5170 (Oberstar) Aviation Safety & Capacity Expansion Act of 1990

Opposing:

- e. AB 3385 (Ferguson) Manufactured Housing

(Memo with agenda. Motion accepting recommendations needed.)

ACTION: By motion, recommendations approved. (Manager to handle)

27.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

ACTION: By motion (Patterson/Lang, unan.) it was determined that the need to take action arose after the agenda was prepared.
By motion (Lang/Patterson, unan.) AB 3222 (Isenberg) was opposed.
By motion (Muratore/Irizarry, unan.) SB 433 (Davis) was supported.
(Manager to handle)

CLOSED SESSION

28. Closed session to consider litigation pursuant to Government Code Section 54956.9(b)(1), and to consider the evaluation of certain public employees pursuant to Government Code Section 54957.

ADJOURNMENT

The meeting adjourned at 6:41 p.m. to closed session.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session which convened at 7:00 p.m. on Tuesday, August 7, 1990, in the Council Chambers, City Hall, 801 11th Street, Modesto, California, for a closed session.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

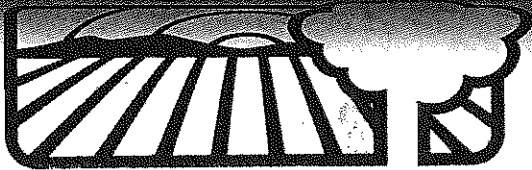
Councilmember Patterson arrived at 7:05 p.m.

Absent: None

The meeting adjourned at 7:01 p.m. to closed session to consider the evaluation of performance of certain public employees, pursuant to Section 54957 of the Government Code, and to instruct its negotiator regarding real property to be purchased, sold, exchanged or leased, pursuant to Section 54956.8 of the Government Code.

ATTEST:

JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 7, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Reverend Rick F.O. Coats, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 9, 10, 11, 12, 13, 14,
17, 19, 21, 23, 24, 25, 26, 27, 28

Removed from Consent: 15, 16, 31

ACTION: (Lang/Bird, unan.)

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1550 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

Acknowledgement of Recycling Merit Award received from the California Recycling Advisory Committee and the Division of Recycling.
 (Modesto Recycles has won another recognition award for its valuable contribution to the recycling of beverage containers, thus reducing the waste stream and supporting the conservation of California's resources. Motion accepting award needed.)

ACTION: By motion (Bird/Lang, unan.) award accepted.

MINUTES

CONSENT

2. Approval of the minutes of the special City Council meeting of July 23, 1990, and the regular City Council meeting of July 24, 1990.
 (Motion approving needed.)

ACTION: By motion, minutes approved.

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)
 Carmen Sabatino spoke about downtown "welfare" building.
 Dennis Smith spoke about alley paving problem behind his home on Bridgeford Lane.
 Hugh Ellis spoke regarding parking lot at Municipal Golf Course.

UNFINISHED BUSINESS

CONSENT

4. Final adoption of:

- a. Ord. No. 2719-C.S. amending Section 8-7.05 of Chapter 7 of Title VIII of the Modesto Municipal Code relating to qualifications for rebate for Enterprise Zone.
 b. Ord. No. 2721-C.S. amending Sections 5-6.04 and 5-6.06 of Chapter 6 of Title V of the Modesto Municipal Code relating to sewer bond redemption charges and subtrunk sewer extension charges.

(Motion adopting needed)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

5. Hearing to consider an amendment to P-D(416), property located at the northwest corner of West Orangeburg and Martin Avenue for a three-story motel.
 (Budgetel Inn)

ACTION: By motion (Dobbs/Patterson, majority, Mayor Whiteside - no) Ord. 2722-C.S. introduced.
 Res. 90-672 adopted (same vote) approving development plan.
 Res. 90-673 adopted (same vote) certifying review of Environmental Assessment.
 (Clerk to handle)

6. Hearing to consider an amendment to Section 8-4-9 of the Zoning Map to rezone from P-D(462) to new Planned Development Zone, P-D(476), property located at the southeast corner of Hatch Road and Boise Avenue. (Arambel and Rose Development, Inc.)

ACTION: By motion (Irizarry/Dobbs, unan.) Ord. 2723-C.S. introduced.
Res. 90-674 adopted (same vote) approving development plan.
Res. 90-675 adopted (same vote) certifying review of Environmental Assessment.
(Clerk to handle)

7. Hearing to consider amending Code to collect Police and Fire costs for hazardous material spills.

ACTION: By motion (Muratore/Bird, unan.) Ord. 2724-C.S. introduced.
(Clerk to handle)

8. Hearing to consider amending a portion of East McHenry Neighborhood Zoning and Development Policy and adoption of a specific traffic mitigation fee.
(Lang/Muratore, unan.)

ACTION: Res. 90-676 adopted/amending a portion of East McHenry Neighborhood Zoning and Development Policy.
(Planning/Clerk to handle)

BIDS

CONSENT

9. Consider acceptance of Cimarron Construction's contract for the waterline on M.I.D. Lateral No. 6, Standiford Avenue and Dale Road as complete. Original contract: \$65,263.80.
(All work on this project has been completed to the satisfaction of the Public Works and Transportation 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.)

ACTION: Res. 90-677 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for residential alley paving Project No. 16.
(Suggested bid opening: August 23, 1990 at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$108,630.50 (contract - \$98,755; eng. & cont. - \$9,875.50. Funds are partially budgeted. Appropriation transfer to be requested after HUD approval.)

ACTION: Res. 90-678 adopted calling for bids. (Clerk to handle)

CONSENT

11. Consider approving specifications and authorizing call for bids to be opened August 27, 1990, at 11:00 a.m., for furnishing golf course turf maintenance equipment.
(Requested by Parks and Recreation - Golf, the equipment is needed at this time consists of five mowers and two turf trucks that will be assigned to the Dry Creek Golf Course for use in establishing and maintaining the turf. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$135,000. Funds are budgeted.)

ACTION: Res. 90-679 adopted calling for bids. (Clerk to handle)

CONSENT

12. Consider award of contract for the 1990 Street Slurry Seals to Graham Contractors, Inc.
(Bids were opened on July 26, 1990. The low bid of \$181,994.78, submitted by Graham Contractors, Inc. is 4.97% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract needed. Estimated cost: \$200,194.26 (contract \$181,994.78; eng. & cont. \$18,199.48. Funds are budgeted.)

ACTION: Res. 90-680 adopted awarding contract. (P/W to handle)

NEW BUSINESS

CONSENT

13. Recommendation to renew City's Boiler and Machinery coverage with Kemper Insurance Company.
(Memo with agenda. Resolution approving renewal needed.)

ACTION: Res. 90-681 adopted approving renewal. (Attorney to handle)

CONSENT

14. Consider directing staff to establish an Assessment District to partially fund the proposed pedestrian overpass at Johansen High School.
(There is a CIP project to construct a pedestrian overpass on Claus Road to serve Johansen High School. The proposed Assessment District and construction schedule is to have the overcrossing completed with the start of school in 1992. Motion directing staff to proceed with an Assessment District needed. Estimated cost: \$690,000. Funds are partially budgeted.)

This matter continued to the August 21, 1990 Council meeting.

CONSENT

15. Consider retaining the services of Bond Counsel and Financial Advisor for Public Facilities District No. 14.
(Public Facilities District No. 14 is an Assessment District to be established to finance the construction of the Claus Road pedestrian overcrossing at Johansen High School. Resolution authorizing services of Sturgis, Ness, Brunsell & Sperry for Bond Counsel and resolution authorizing services of Seidler-Fitzgerald Public Finance for Financial Advisor needed. Estimated cost: \$50,750. Funds are budgeted.)

This matter continued to the August 21, 1990 Council meeting.

CONSENT

16. Consider directing staff to enter into negotiations with Bissell & Karn, Inc. to provide design services for the proposed pedestrian overcrossing on Claus Road at Creekwood Drive.
(Memo with agenda. Motion directing staff to enter into negotiations with Bissell & Karn, Inc. needed. Contract amount to be approved prior to execution of agreement.)
This matter continued to the August 21, 1990 Council meeting.

CONSENT

17. Consider approving a supplemental issue of Certificates of Participation (Series 1990A) not to exceed \$1,000,000 in connection with the refunding of the Waste-to-Energy Facility Adjustable Rate Revenue Bonds (Series 1985) for the payment of the arbitrage rebate liability and authorize the City Manager to sign the purchase agreement and any and all documents that will accomplish the issuance of the Certificates of Participation.
(Memo with agenda. Resolution approving a supplemental issue of Certificates of Participation needed.)

ACTION: Res. 90-682 adopted approving supplemental issue of Certificates of Participation. (P/W to handle)

18. Consider authorizing submission of a list of projects as candidates for the State-Local Partnership Program (SB300).
(This program could provide up to \$2,36 million in State funding for streets projects that increase capacity, extend service or extend useful life of the facilities. Memo with agenda. Resolution authorizing submission of a list of projects needed.)

ACTION: Res. 90-683 adopted (Lang/Irizarry, unan.) authorizing submission of a list of projects. (P/W to handle)

CONSENT

19. Adjustments to the Annual Budget for FY 1990-91 to finance staffing and equipment needed for Fire Station #9 and authorization to provide staffing for Fire Station #9.
(Memo with agenda. Resolution amending the Annual Budget for FY 1990-91, resolution approving appropriation transfer, and motion authorizing staffing needed. Estimated cost: \$268,876.)

ACTION: Res. 90-684 adopted amending the Annual Budget.
Res. 90-685 adopted approving an appropriation transfer.
By motion, authorized staffing for Fire Station #9. (Finance to handle)

20. Discussion of concerns by Latch Key parents.
(Councilmember Lang asked that this item be placed on the agenda at the request of Marilyn Corona.)
No action taken.

CONSENT

- 21. Intention of City Council to appoint Paul Baxter as Acting City Manager upon the vacancy of the City Manager position. (With the retirement of Garth Lipsky, City Manager, Paul Baxter will assume the position of Acting City Manager. Motion of intent to appoint Paul Baxter as Acting City Manager needed.)

ACTION: By motion, Council indicated intention to appoint Paul Baxter.

- 22. Consider an urgency ordinance amending MMC 11-1.14(a)(4) relating to the schedule for outdoor water use. (Memo with agenda. Introduction and adoption of an urgency ordinance needed. Five affirmative votes needed.)

ACTION: By motion (Patterson/Muratore, unan.) Ordinance adopted relating to water use schedules. (City Clerk to handle)

CONSENT

- 23. Rees-Torrid Reorganization to the City of Modesto. (On July 27, 1990, LAFCO approved Rees-Torrid Reorganization to the City of Modesto. This uninhabited proposal includes 1.06 acres located on the south side of Torrid Avenue and east of Shasta Avenue. There is one property and the owner consented to the reorganization. No hearing is required. Resolution ordering the Rees-Torrid Reorganization to the City of Modesto, annexation to the Modesto Municipal Sewer District No. 1, detachment from the Woodland Avenue Protection District, and certifying review of Environmental Impact needed.)

ACTION: Res. 90-686 adopted annexing Rees-Torrid Reorganization. (Planning/Clerk to handle)

CONSENT

- 24. Consider approval of annual claim for Local Transportation Funds. (Each year the City makes a claim to the Stanislaus Area Association of Governments (SAAG) for its apportionment of Transportation Development Funds. This year's claim is \$3,764,513. Resolution authorizing submission of Annual Transportation Claim needed.)

ACTION: Res. 90-687 adopted authorizing submission of Annual Transportation Claim. (Finance to handle)

CONSENT

- 25. Consider a motion authorizing eight new positions (five Maintenance Worker II's; one Maintenance Mechanic; one Parks Crewleader, and one Parks Maintenance Supervisor I) to be assigned to the new golf course. (Memo with agenda. Motion authorizing eight new positions needed.)

ACTION: By motion, eight new positions authorized. (Personnel to handle)

CONSENT

- 26. Staff report on Modesto Centre Plaza parking. (Memo with agenda. Motion acknowledging report and accepting staff recommendations needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

27. Consider job descriptions and salary ranges for Financial Analyst (range 435), Budget Officer (Range 435), and Budget Analyst (Range 431). (Memo with agenda. Resolution amending the Position Classification Plan to adopt the classification of Financial Analyst and Budget Officer, and revise the classification of Budget Analyst needed, and resolution amending the Class Range tables needed. Funds are budgeted.)

ACTION: Res. 90-688 adopted amending the Position Classification Plan.

Res. 90-689 adopted amending the Class Range tables.

(Personnel to handle)

CONSENT

28. Consider acceptance of improvements in California Chardonnay Unit 1 Sub-division and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Kaufman and Broad (California Chardonnay Unit 1 Subdivision is located at the Northeast corner of West Whitmore Avenue and Ustick Road. All improvements have been completed to the satisfaction of the Public Works and Transportation Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 90-690 adopted accepting improvements as complete. (Clerk to handle)

29. Consider designating voting delegate and voting alternate for the annual League of California Cities conference. (Motion designating needed.)

ACTION: By motion (Lang/Dobbs, unan.) designated Mayor Whiteside as voting delegate and Vice Mayor Bird as alternate voting delegate. (Clerk to handle)

WRITTEN COMMUNICATIONS

30. Letter from Eugene Boone concerning problems with parking around Graceada Park.
Mr. Boone spoke concerning problems with parking.

CONSENT

31. Application of Shadow Chase Running Club for a one-mile fun run and footrace. (Motion referring to staff needed.)

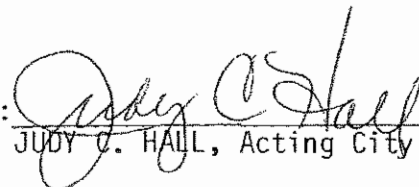
ACTION: By motion (Patterson/Lang, unan.) item referred to staff.

MATTERS TOO LATE FOR THE AGENDA

32. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

The meeting adjourned at 10:48 p.m.

ATTEST:


JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 8:00 a.m., Thursday, August 9, 1990, at the home of the Mayor Carol Whiteside, 1319 Highland Drive, Modesto, California.

Present: Councilmembers Bird, Dobbs, Lang, Muratore, Patterson, Mayor Whiteside

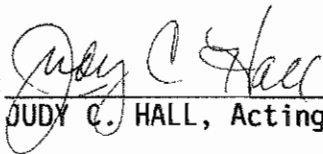
Absent: Councilmember Irizarry

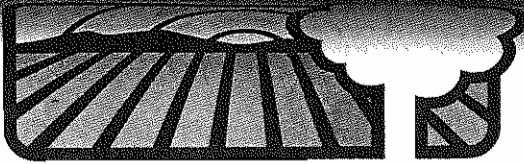
Councilmember Muratore arrived at 9:10 a.m.

Councilmember Dobbs was excused at 8:55 a.m.

The Council met with members of G.O.A.L to discuss the Urban Reserve and the Village Plan.

The meeting adjourned at 9:20 a.m. to 3:00 p.m., Friday, August 10, 1990, in the Council Chambers, City Hall, 801 11th Street, Modesto, California for a closed session regarding the evaluation of performance of certain public employees pursuant to Section 54957 of the Government Code.

ATTEST: 
JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 4:00 p.m., Thursday, August 9, 1990, in the Pistache Room, Modesto Centre Plaza, 1000 L Street, Modesto, California, for a joint meeting with the Planning Commission.

Present: Councilmembers Bird, Lang, Muratore, Mayor Whiteside

Commissioners Fisher, Grover, Martin, Smith, Chairperson Dunbar

Absent: Councilmembers Dobbs, Irizarry, Patterson

Commissioners Alexander, Gallagher

The Public Works and Transportation staff presented background information on projects identified as a result of the Planning Commission study session regarding improving traffic flow.

The priorities for major projects, possible funding sources, recommendations for short-, medium-, and long-term goals and existing deficiencies were discussed, and Councilmembers and Commissioners will complete prioritization of listed projects.

Staff will prepare reports on the status of the congestion management program, areas where there are signed City-County agreements for improvements, and on the feasibility of providing left-turn lanes at 11th and I Streets.

The meeting adjourned at 5:25 p.m.

ATTEST: 
JUDY C. HALL, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned special session at 3:00 p.m., August 10, 1990, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Bird, Lang, Muratore, Patterson, Mayor Whiteside

Absent: Councilmembers Dobbs and Irizarry

The meeting adjourned to a closed session regarding the evaluation of performance of certain public employees pursuant to Section 54957 of the Government Code.

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL


City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned special session at 2:00 p.m., August 14, 1990, in the Third Floor Conference Room, City Hall, Modesto, California, for a study session regarding the evaluation of Council Committee system and ways to improve recognition, monitoring and training of advisory boards, commissions and committees.

Present: Councilmembers Bird, Muratore, Patterson

Absent: Councilmembers Dobbs, Irizarry, Lang, Mayor Whiteside

The meeting adjourned due to lack of a quorum.

ATTEST: 
JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 14, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Lang, Muratore, Patterson,
Mayor Whiteside

Absent: Irizarry

Pledge of allegiance to the Flag

Invocation: Rev. Wayne Bridegroom Central Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 9, 10, 12,
14

Dropped from agenda: 11, 14

ACTION: (Lang/Bird, unan., Irizarry absent)

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A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

MINUTES

CONSENT

2. Approval of the minutes of the special and regular City Council meetings of August 7, 1990.
(Motion approving needed.)

ACTION: By motion, minutes approved.

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Bill Martin spoke about a downtown social services building.
Tim White requested placement on the agenda within 30 days with full Council in attendance to discuss location of social services building.

UNFINISHED BUSINESS

4. Final adoption of Ord. No. 2722-C.S. amending Planned Development Zone, P-D(416), property Located on the North Side of West Orangeburg Avenue, West of Martin Avenue (Budgetel Inn)
(Motion adopting needed.)

ACTION: By motion (Lang/Bird, majority, Mayor Whiteside-no, Irizarry absent)
Ordinance 2722-C.S. adopted. (Clerk to handle)

CONSENT

5. Final adoption of:

- a. Ord. No. 2723-C.S. amending Section Map 8-4-9 of the Zoning Map to rezone from Planned Development Zone, P-D(462), to Planned Development Zone, P-D(476), property located on the southeast corner of Hatch Road and Boise Avenue. (Arambel and Rose Development, Inc.)
- b. Ord. No. 2724-C.S. amending Section 3-1.201 of Article 2 of Chapter 1 of Title III of the Modesto Municipal Code relating to deposits of hazardous materials spills; cleanup or abatement; liability for costs.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.
WPCC182

2

(Clerk to handle)
8/14/90

BIDS

CONSENT

6. Consider declaring Northwest Motor Welding and Besst, Inc. low bidders on and authorize the purchase of two diesel engines for the total price of \$14,189.
(Memo with agenda. Two resolutions declaring low bidders needed. Funds are budgeted.)

ACTION: Res. 90-691 adopted awarding bid to Northwest Motor Welding.
Res. 90-692 adopted awarding bid to Besst, Inc. (Finance to handle)

CONSENT

7. Consider acceptance of A & B Roofing's contract for reroofing the Senior Citizens Center. Original contract: \$22,725
(All work on this project has been completed to the satisfaction of the Public Works and Parks Departments. 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: \$24,205. Funds are budgeted.)

ACTION: Res. 90-693 adopted accepting work as complete. (P/W, Clerk to handle)

NEW BUSINESS

8. Consider approving agreement with ROMA Design Group for additional costs for Village One Specific Plan Final EIR.
(Memo with agenda. Resolution approving agreement needed, and resolution approving a budget amendment needed.)

ACTION: Res. 90-694 adopted approving agreement.
Res. 90-695 adopted approving budget amendment.
(Planning/Finance to handle)

CONSENT

9. Consider approval of the membership of the Integrate Waste Management Local Task Force, pursuant to the Public Resources Code, Chapter 1, Article 2, Section 40950.
(According to the Integrated Waste Management Act of 1989 (Assembly Bill 939), a Local Task Force must be established to coordinate a cost-effective, regional waste management plan. Appointees to Task Force with agenda. Resolution approving the membership of the Integrated Waste Management Local Task Force for Stanislaus County needed.)

ACTION: Res. 90-696 adopted approving the membership. (P/W to handle)

CONSENT

10. Consider request of George Reed, Inc. for variance to the Downtown Exposed Aggregate Sidewalk Standard at "I" Street and 13th Street (1215 "I" Street).
(Memo with agenda. Resolution granting variance needed.)

ACTION: Res. 90-697 adopted granting variance. (P/W to handle)

CONSENT

11. Revisions are proposed to the City of Modesto designated truck route map. (Memo with agenda. The Modesto designated truck routes have not been updated since 1975. The proposed revisions are in response to changes that have occurred in both the volume and type of traffic in Modesto. Resolution approving designated truck route map needed. Estimated cost: \$1,200. Funds are budgeted.)

Dropped from agenda.

CONSENT

12. Monthly Treasurer's Report for July, 1990.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

13. Consider modifying speed limits on various streets. (Memo with agenda. A total of 12 updated or revised radar-enforceable speed limits are proposed. Also, a new radar limit is proposed for Creekwood Drive. Introduction of an ordinance needed. Estimated cost: \$720. Funds are budgeted.)

Dropped from agenda.

WRITTEN COMMUNICATIONS

CONSENT

14. Letter from the Downtown Improvement District requesting the use of Downtown sidewalks for a sale on August 17, 18th and 19th.
(Motion approving request needed.)

ACTION: By motion, request approved.

15. Letter from John P. Souza, President/Business Representative, Teamsters, Chauffers, Warehousemen & Helpers Union No. 386, regarding reinstatement of seniority to T.R.I.P.S drivers.

ACTION: By motion (Lang/Patterson, unan., Irizarry absent) reaffirmed City Council statement of June 27, 1988.

16. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

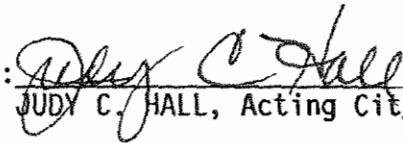
CLOSED SESSION

17. Closed session to consider pending litigation pursuant to Government Code Section 54956.9(a), and to consider the evaluation of performance of certain public employees pursuant to Government Code Section 54957.

ADJOURNMENT

The meeting adjourned at 4:56 p.m. to closed session.

ATTEST:


JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 7:15 p.m., August 21, 1990, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Irizarry, Lang, Muratore, Mayor Whiteside

Absent: Councilmembers Bird, Dobbs, Patterson

The Council adjourned to closed session at 7:17 p.m. to consider pending litigation pursuant to Government Code Section 54945.9(a) regarding Star Enterprises vs. City of Modesto.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 21, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Irizarry, Lang, Muratore, Patterson,
Mayor Whiteside

Absent: Councilmember Bird, Dobbs

Pledge of allegiance to the Flag

Invocation: Rev. Willard Chapman, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 10, 11, 12, 15,
16, 18

Removed from consent: 9, 17

ACTION: (Lang/Irizarry, unan., Bird and Dobbs absent)

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WPCC183

1

8/21/90

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Whiteside introduced members and leader of Boy Scout Troop 133, Latter Day Saints Church.

MINUTES

CONSENT

- 2. Approval of the minutes of the regular City Council meeting of August 14, 1990, the two special meetings of August 9, 1990, and the adjourned special meeting of August 10, 1990. (Motion approving needed.)

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

ORAL COMMUNICATIONS

- 3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

- 4. Consider directing staff to establish an Assessment District to partially fund the proposed pedestrian overpass at Johansen High School. (There is a CIP project to construct a pedestrian overpass on Claus Road to serve Johansen High School. The proposed Assessment District and construction schedule is to have the overcrossing completed with the start of school in 1992. Motion directing staff to proceed with an Assessment District needed. Estimated cost: \$690,000. Funds are partially budgeted. This matter continued from the August 7, 1990, Council meeting.)

ACTION: By motion (Lang/Patterson, unan., Bird and Dobbs absent) this item was continued for four weeks for further study. (P/W to handle)

- 5. Consider retaining the services of Bond Counsel and Financial Advisor for Public Facilities District No. 14. (Public Facilities District No.14 is an Assessment District to be established to finance the construction of the Claus Road pedestrian overcrossing at Johansen High School. Resolution authorizing services of Sturgis, Ness, Brunsell & Sperry for Bond Counsel and resolution authorizing services of Seidler-Fitzgerald Public Finance for Financial Advisor needed. Estimated cost: \$50,750. Funds are budgeted. This matter continued from the August 7, 1990, Council meeting.)

ACTION: By motion (Lang/Patterson, unan., Bird and Dobbs absent) this item was continued for four weeks for further study. (P/W to handle)

WPCC183

2

8/21/90

6. Consider directing staff to enter into negotiations with Bissell & Karn, Inc. to provide design services for the proposed pedestrian overcrossing on Claus Road at Creekwood Drive.
(Memo with agenda. Motion directing staff to enter into negotiations with Bissell & Karn, Inc. needed. Contract amount to be approved prior to execution of agreement. This matter continued from the August 7, 1990 Council meeting.)

ACTION: By motion (Lang/Muratore, unan., Bird and Dobbs absent) staff recommendation approved with the engineers to also look at possible sites, and Modesto High School District be requested to pay half of the cost. (P/W to handle)

CONSENT

7. Final adoption of Ord. No. 2720-C.S. granting to Modesto Garbage Company, Inc. a California Corporation, a license for the Collection of Garbage in the City of Modesto, including the Collection of Recyclable Materials, and Repealing Ordinance Nos. 2533-C.S. and 2612-C.S.
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2720-C.S. adopted. (Clerk to handle)

BIDS

CONSENT

8. Consider approving specifications and authorize call for bids to be opened September 24, 1990, at 11:00 a.m., for furnishing one 110 foot aerial apparatus (ladder truck) for the Fire Department.
(Memo with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$500,000. Funds are budgeted.)

ACTION: Res. 90-698 adopted calling for bids. (Finance to handle)

9. Consider awarding bid for the Dry Creek bike and pedestrian bridge project to Western Stone Products Inc., and consider approving an appropriation transfer.
(Bids were opened on July 19, 1990. The low bid of \$245,718.70, submitted by Western Stone Products, is considered acceptable. It is recommended that the contract be awarded to them. An appropriation transfer of \$75,289 is needed to supplement the previously authorized funding for this project. Resolution awarding contract to Western Stone Products Inc., and resolution approving an appropriation transfer of \$75,289 needed. Estimated cost: \$270,289.00)
Mayor Whiteside excused due to a conflict of interest.

ACTION: By motion (Patterson/Lang, unan., Bird, Dobbs, and Whiteside absent) Councilmember Irizarry designated as Mayor pro tem.
Res. 90-699 adopted (Patterson/Muratore, unan., Bird, Dobbs, and Whiteside absent) awarding contract.
Res. 90-700 adopted (Patterson/Muratore, unan., Bird, Dobbs, and Whiteside absent) approving an appropriation transfer.
(Planning to handle)

WPCC183

3

8/21/90

CONSENT

10. Consider declaring Orange County Nursery low responsible bidder and authorize the purchase of bare root trees.
(Memo with agenda. Resolution awarding bid to Orange County Nursery needed. Estimate Cost: \$28,332. Funds are budgeted.)

ACTION: Res. 90-701 adopted awarding bid. (Finance to handle)

CONSENT

11. Consider waiving formal bid procedure and authorizing the purchase of 25 police vehicles from Love Chevrolet in Folsom.
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Estimated Cost: \$330,632.50. Funds are budgeted.)

ACTION: Res. 90-702 adopted waiving formal bid. (Finance to handle)

CONSENT

12. Consider waiving formal bid procedures and authorizing the City Manager to sign an agreement with Brown and Caldwell to provide an odor control evaluation and test study for the total price of \$120,000.
(Memo with agenda. Resolution waiving formal bid procedures needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-703 adopted waiving formal bid. (Finance to handle)

NEW BUSINESS

13. Consider report on the Modesto Urban Area portion, Stanislaus County Regional Expressway Study.
(Copies of two reports are available in the Planning and Community Development Department, Fourth Floor, City Hall, "Stanislaus County Regional Expressway Study." June 14, 1990, Fehr and Peers Associates; and "Modesto Urban Area Relationships to Regional Expressway Study. July 25, 1990, Planning and Community Development Department. In addition, the recommendations of the Planning Commission as a result of its informal public hearing on August 6, 1990, will be shared. There have been several requests received that this item be continued to September 3, 1990.)

ACTION: By motion (Muratore/Patterson, unan., Bird and Dobbs absent) Kiernan-Claribel was selected as the north leg of the expressway loop.
By motion (Muratore/Irizarry, majority, Patterson-no, Bird and Dobbs absent) Morse-Nebraska was selected as the west leg of the expressway loop. (Planning to handle)

14. Consider adoption of resolution establishing CEQA procedures for the evaluation and mitigation of school impacts from residential development in conjunction with General Plan amendment, rezoning, rezoning or other legislative acts.
(Adoption of CEQA procedures for evaluation and mitigation of school impacts from General Plan amendments, rezonings and rezonings at the Environmental Review level is recommended. Memo with agenda. Resolution establishing CEQA procedures for school impacts is needed.)

ACTION: By motion (Patterson/Irizarry, unan., Bird and Dobbs absent) this item continued to allow the school districts and Building Industry Association to discuss the policy further. (Planning to handle)

CONSENT

15. Consider adoption of resolution extending the City of Modesto's Housing Element's Goals, Policies, and Programs until such time as it is updated. (Extension of Housing Element Goals, Policies, and Programs to July 1992 is recommended. Memo with agenda. Resolution extending needed.)

ACTION: Res. 90-704 adopted extending Housing Element's Goals, Policies, and Programs. (Planning to handle)

CONSENT

16. Consider appropriation transfer to fund the City's contribution of \$10,000 to the U.C. Campus Committee for the Stanislaus/Tuolumne Region. (On May 22, 1990, the City Council agreed to support efforts of U.C. Campus Expansion Committee if local sites were included in final eight locations. Both the Mape's Ranch and Don Pedro sites are among eight sites to be considered for a new campus. Resolution approving an appropriation transfer needed. Funds are budgeted.)

ACTION: Res. 90-705 adopted approving an appropriation transfer. (Finance to handle)

17. Consider staff report regarding condition of taxicabs. (Memo with agenda. The City Council has asked staff to review existing conditions of taxicabs operating in the City of Modesto. Motion accepting report needed.)

ACTION: By motion (Lang/Irizarry, unan., Bird and Dobbs absent) this matter was referred to the Council Transportation Committee. (Manager to handle)

CONSENT

18. Consider extension of contract with DeLeuw, Cather, for planning removal of Union Pacific Railroad trains from 9th Street. (An extension of 5 months to January 5, 1991 for consultant contract on train removal is recommended. Resolution extending contract needed.)

ACTION: Res. 90-706 adopted extending contract. (P/W to handle)

MATTERS TOO LATE FOR THE AGENDA

19. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting to be adjourned at 10:55 p.m. to Monday, August 27, 1990, at 7:30 p.m. in the Arbor Theater, Modesto Centre Plaza, 1000 L Street, Modesto, California, for a joint meeting with the Planning Commission regarding Village One.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned session at 7:30 p.m., August 27, 1990, in the Arbor Theater, Modesto Centre Plaza, Modesto, California, for a joint meeting with the Planning Commission concerning Village I.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Mayor Whiteside
Commissioners Alexander, Fisher, Gallagher, Smith, Chairperson Dunbar

Absent: Councilmember Patterson
Commissioners Grover, Martin

Mayor Whiteside opened the meeting and thanked the Planning Commission for its work on this project.

Members of the City staff and the consultants explained the changes made in the drafts of the Village I Specific Plan and the Village I Financing Plan, based on Council, Commission and public input at previous meetings.

The meeting adjourned at 9:10 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 2:00 p.m., August 28, 1990, in the Third Floor Conference Room, City Hall, Modesto, California.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson, Mayor Whiteside

Councilmembers Dobbs and Muratore arrived at 3:00 p.m.

Absent: none

Representatives of various executive recruitment firms interested in conducting the recruitment for the Modesto City Manager position were interviewed.

The meeting adjourned at 3:50 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned session at 6:00 p.m., August 28, 1990, in the Mayor's Office, First Floor, City Hall, Modesto, California.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson,
Mayor Whiteside

Absent: None

Representatives of various executive recruitment firms interested in conducting the recruitment for the Modesto City Manager position were interviewed.

The meeting adjourned at 8:30 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 28, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Rick Coats, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 10, 11, 12, 14,
15, 16, 17, 18, 19, 20, 21, 22, 23,
24, 25

ACTION: (Lang/Bird, unan.)

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Councilmember Patterson introduced his father, Richard Patterson, and his aunt, Nannie Chambers, from Passaic, New Jersey.

MINUTES

CONSENT

2. Approval of the minutes of the regular and special City Council meetings of August 21, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Norma Anaya Barron requested that an item be placed on next week's agenda to discuss the attacks on women on the west side.

HEARINGS

4. Hearing to consider an amendment to Section 8-4-9 of the Zoning Map to prezone from A-2-10 to R-1, property located on the north side of Whitmore Avenue and East of Ustick Road.

ACTION: By motion (Patterson/Lang, unan.) Ord. No. 2726-C.S. introduced.
Res. 90-707 adopted (same vote) pre zoning property.
(Clerk/Planning to handle)

5. Consider approval of LAFCO questionnaire indicating no opposition to the Whitmore-Gutherie Governmental Reorganization, with the resolution to specify that the annexation area to include full right-of-way of Whitmore Avenue, but only adjacent to the proposed annexation area.
(Proponents propose an annexation of 15.0 acres to the City of Modesto and Modesto Municipal Sewer District No. 1 and simultaneously detach the area from the Industrial Fire District. The area is on the north side of Whitmore Avenue and east of Ustick Road. Memo with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 90-708 adopted (Patterson/Lang, unan.) approving LAFCO questionnaire indicating no opposition.
Res. 90-709 adopted (same vote) certifying review of Environmental Assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for the canal crossing at MID Lateral No. 4 at Carpenter Road.
(Suggested bid opening: September 18, 1990, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications needed. Estimated cost: \$110,192.50 (contract - \$100,175; eng. & cont. - \$10,017.50). Funds are budgeted.)

ACTION: Res. 90-710 adopted calling for bids. (P/w to handle)

CONSENT

7. Consider approving specifications and authorizing call for bids to be opened October 1, 1990, at 11:00 a.m. for furnishing a replacement Police prisoner transport van.
(Requested by Public Works & Transportation, this is a replacement vehicle for a van that has reached the end of its serviceable life. Resolution approving specifications and calling for bids needed. Estimated cost: \$21,000. Funds are budgeted.)

ACTION: Res. 90-711 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider approving specifications and authorizing call for bids to be opened September 17, 1990, at 11:00 a.m. for furnishing two water adsorption-filter systems, to be installed at Well #2 and Well #30.
(Requested by Public Works & Transportation, the adsorption systems will improve the quality of water as well as the water pressure at the above sites. Resolution approving specifications and calling for bids needed. Estimated cost: \$400,000. Funds are budgeted.)

ACTION: Res. 90-712 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider awarding contract for construction of traffic signals, street improvements, and striping modifications at the following locations:
Briggsmore Avenue at Lakewood Avenue
Carpenter Road at Kansas Avenue
Coffee Road at Norwegian Avenue
Coffee Road between Briggsmore Avenue and Scenic Drive
Coffee Road between Ensenada Drive and Spanos Court
(Memo with agenda. Bids were opened on August 9, 1990. Six bids were received. Collins Electrical Company was the low bidder at \$410,840. This is 17.58% below the estimate and is acceptable. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 90-713 adopted awarding contract. (P/W to handle)

CONSENT

10. Consider acceptance of Thomaswall's contract for the Modesto Verde block wall construction as complete. Original contract and final cost: \$80,071 (All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 90-714 adopted accepting work as complete. (Clerk to handle)

CONSENT

11. Consider waiving formal bid procedures and authorizing the purchase of traffic line paint from Pervo Paint Company for a total cost of \$40,000. (Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-715 adopted waiving formal bid procedure. (Finance to handle)

CONSENT

12. Consider waiving formal bid procedures and authorizing the purchase of sewerage lift station from J. H. Pillow Co. for a total cost of \$70,109.31. (Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-716 adopted waiving formal bid procedure. (Finance to handle)

NEW BUSINESS

13. Designation of voting delegate and two alternate voting delegates to the annual Congress of Cities conference in December. (Motion designating delegate and alternates needed.)

ACTION: By motion (Lang/Dobbs, unan.) Mayor Whiteside designated delegate and Councilmembers Bird and Dobbs as alternates. (Manager to handle)

- 13A. Sister communities water project resolution as requested by Councilmember Patterson.

ACTION: By motion (Patterson/Irizarry, unan.) Councilmember Patterson was directed to work with staff on a resolution for Council consideration. (Manager to handle)

CONSENT

14. Consider approval of LAFCO questionnaire indicating no opposition to the Leon-South Governmental Reorganization.
(Proponents propose an annexation of 4.35 acres to the City of Modesto and Modesto Municipal Sewer District No. 1 and simultaneously detach the area from the Burbank-Paradise Fire District. The area is on the southeast corner of Leon Avenue and South Avenue. Memo with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 90-717 adopted approving LAFCO questionnaire. (Clerk to handle)

CONSENT

15. Consider amending the Modesto Municipal Code to allow for out-call massage.
(Memo and proposed ordinance with agenda. Motion introducing ordinance needed.)

ACTION: By motion, Ord. No. 2727-C.S. introduced. (Clerk to handle)

CONSENT

16. Consider exemption from Capital Facilities Fees (CFF) for parking garages in conjunction with development.
(Memo with agenda. Motion approving needed.)

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

CONSENT

17. Consider authorizing the City Manager or his designee to execute a Memorandum of Understanding (MOU) with Caltrans regarding the planning for expenditure of Capital Facilities Fees.
(Caltrans requested the MOU in order to supported its efforts for placing jointly funded projects in the State Transportation Improvement Plan (STIP).)

ACTION: Res. 90-718 adopted approving MOU with Caltrans. (P/W to handle)

CONSENT

18. Consider authorizing the City Manager to execute the new "Communications Agreement between the County of Stanislaus and the City of Modesto."
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$100,000. Funds are budgeted.)

ACTION: Res. 90-719 adopted approving agreement. (Police to handle)

CONSENT

19. Consider approving an agreement with Dr. Charles R. and Mrs. Jeannette G. Maino for the acquisition of .456 acres of their property needed for Dry Creek Park.
(The Mainos have agreed to sell the required property for \$10,000. Memo with agenda. Estimated cost: \$12,000, including \$2,000 escrow costs. Funds are budgeted.)

ACTION: Res. 90-720 adopted approving agreement. (Attorney to handle)

CONSENT

20. Consider approving an agreement with Mohammed Zubair and Abida Zubair for the acquisition of their leasehold interest in the Transportation Center site.
(The Zubairs have agreed to sell their leasehold interest for the appraised value of \$10,000. Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 90-721 adopted approving agreement.
Res. 90-722 adopted certifying review of Environmental Assessment.
(Attorney to handle)

CONSENT

21. Consider approval of final map of California Gardens Subdivision of the City of Modesto and authorizing an agreement with the subdivider as required by Section 4-4.604(c) of the Modesto Municipal Code. Owners: P & R Enterprises
(The subdivision agreement has been signed and all fees paid. California Gardens is located south of California Avenue and west of Martin Luther King Drive. It contains 6.111 acres. Resolution approving final map needed.)

ACTION: Res. 90-723 adopted approving final map. (Clerk to handle)

CONSENT

22. Consider acceptance of improvements in Orangeburg Terrace Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Vinson Chase.
(Orangeburg Terrace is located on the north side of East Orangeburg Avenue, west of Claus Road. All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 90-724 adopted accepting improvements as complete.
(Clerk to handle)

CONSENT

23. Consider request for water service to property outside City limits at 1624 Shaddox Avenue, located on the south side of Shaddox between Watts Avenue and Carpenter Road. Owners: Robert E. and Joanne L. Sargent. (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. 90-725 adopted approving agreement. (P/W to handle)

CONSENT

24. Consider declaring as surplus and authorizing the sale of surplus, lost, stolen, unclaimed and/or seized property accumulated by the City of Modesto, at public auctions to be conducted by Roger Ernst and Associates on October 6, 1990, at 824 Kiernan Avenue, and October 8, 1990, at 501 North Jefferson, City Corporation Yard. (Memo with agenda. Resolution declaring property as surplus and authorizing Purchasing Officer to sell surplus property by public auction October 6 and 8, 1990 needed.)

ACTION: Res. 90-726 adopted declaring property surplus. (Finance to handle)

CONSENT

25. Consider approval of an agreement with the County of Stanislaus and the Modesto City Schools District to provide adult crossing guards at Shackelford School. (Memo with agenda. City's share of estimated cost: \$3,000 annually. Resolution approving agreement and resolution approving appropriation transfer needed.)

ACTION: Res. 90-727 adopted approving agreement.
Res. 90-728 adopted approving appropriation transfer. (Police to handle)

WRITTEN COMMUNICATIONS

26. Letter from Tim D. White, Taxpayers' Information Committee, concerning the County Social Services building.

ACTION: By motion (Patterson/Muratore, majority, Dobbs-no) no action will be taken until the County makes further decisions.

CONSENT

27. Letter from Gwendolyn Bruton, Acting Chairperson of the Downtown Improvement District Board, proposing an amendment to the City's sign ordinance. (Motion referring letter to Staff for recommendation needed.)

ACTION: By motion, letter referred to staff. (Planning to handle)

MATTERS TOO LATE FOR THE AGENDA

28. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State Law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 5:56 p.m. to the Mayor's Office, City Hall, 801 11th Street, Modesto, California, for the purpose of interviewing executive search firms for the recruitment of a new City Manager.

ATTEST: *Norrine Coyle*
NORRINE COYLE City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 4, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Mark Randy, Church of Jesus Christ

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 9, 10, 11,
13, 14, 15, 16, 19

Removed from consent: 17

ACTION: (Dobbs/Patterson, unan.)

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Item 12
Councilmember Bird excused due to a
conflict of interest.

ACTION: (Irizarry/Muratore, unan., Bird absent)

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Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

- a. Presentation concerning the McHenry Mansion Smithsonian's Victorian Gardens Horticultural Extravaganza.

The showing was described by Jim Gump, McHenry Mansion Foundation President and Wayne Mathis, Historical Buildings Supervisor.

- b. Presentation of the 1990 video "Report to the People."

The video was shown by Post Newsweek Cable.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of August 27, 1990, the regular City Council meeting of August 28, 1990, the special meeting of August 28, 1990, and the adjourned regular meeting of August 28, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

CONSENT

4. Consider Sister Communities Water Project resolution as requested by Councilmember Patterson.
(Memo with agenda. Resolution relating to a statewide water policy needed.)

ACTION: Res. 90-729 adopted relating to statewide water policy. (Manager to handle)

CONSENT

5. Final adoption of:

- a. Ord. No. 2726-C.S., amending the Zoning Map to prezone from A-2-10 to R-1 property located on the north side of Whitmore Avenue and east of Ustick Road (R. J. Hill Co.).

- b. Ord. No. 2727-C.S. amending the Modesto Municipal Code section to permit out-call massage.

(Motion adopting needed.)

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

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for rockwell storm drain replacement, 1990.
(Memo with agenda. Suggested bid opening: September 27, 1990, at 11:05 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$212,313.20 (contract - \$193,012; eng. & cont. - \$19,301.20) Funds are budgeted.)

ACTION: Res. 90-730 adopted calling for bids. (P/W to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for the Union Avenue railroad crossing.
(Memo with agenda. Suggested bid opening: September 27, 1990, at 11:00 a.m. Negative Declaration was certified by City Council on November 15, 1988. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$22,000. (contract - \$20,000; eng. & cont. - \$2,000) Funds are budgeted.)

ACTION: Res. 90-731 adopted calling for bids. (P/W to handle)

NEW BUSINESS

8. Discussion of recent crimes on the westside of Modesto.

The Chief of Police will follow up with concerned citizens.
(Police to handle)

- 8A. Consider approving an agreement with an executive search recruitment firm to provide recruitment services for the position of City Manager.
(Memorandum with agenda. Resolution approving agreement and resolution approving an appropriation transfer from Contingency Reserve needed. Estimated cost: \$30,000.)

ACTION: Res. 90-732 adopted (Lang/Patterson, unan.) approving an agreement with Hughes, Heiss and Associates and authorizing the City Attorney to sign the agreement.
Res. 90-733 adopted (same vote) approving an appropriation transfer.
(Attorney to handle)

CONSENT

9. Consider update of school sewer and water rates.
(Memo with agenda. Two resolutions updating school sewer and water rates needed.)

ACTION: Res. 90-734 adopted approving updated school sewer rates.
Res. 90-735 adopted approving updated school water rates.
(P/W to handle)

CONSENT

10. Consider request for refund of \$1,301.90 for overpayment of Business License Tax and Business License Registration by Hubbard Structures. (Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-736 adopted approving refund. (Finance to handle)

CONSENT

11. Consider adoption of a resolution to abandon Improvement District 26. (Improvement District 26 was established for improving the Standiford-Dale-Sisk intersection. All action on formation of the improvement district has ceased. Memo with agenda. Resolution abandoning Improvement District 26 needed.)

ACTION: Res. 90-737 adopted abandoning Improvement District 26. (P/W to handle)

CONSENT COUNCILMEMBER BIRD EXCUSED DUE TO A CONFLICT OF INTEREST

12. Consider a budget amendment for College West EIR. (On April 17, 1990, Council approved amended agreements with Resource Development and Michael Clayton and Associates for the expanded scope of the College West EIR. It is necessary to amend the budget to estimate and appropriate the developer's contribution of \$81,447.32. No fiscal impact to City. Resolution amending budget needed.)

ACTION: Res. 90-738 adopted (Irizarry/Muratore, unan., Bird absent) amending budget. (Finance to handle)

CONSENT

13. Consider authorizing staff to request proposals to design a new water/sewer 'Supervisory Control and Data Acquisition System (SCADA System). (Improvements are needed both in the water SCADA and the sewage collection SCADA systems. Selecting a design engineering firm is the first part of the replacement process. Memo with agenda. Resolution authorizing staff to request proposals needed. Estimated cost: \$150,000. Funds are budgeted.)

ACTION: Res. 90-739 adopted authorizing request for proposals. (P/W to handle)

CONSENT

14. Consider authorizing the City Attorney to retain Bartkiewicz, Kronick and Shanahan as special counsel for the Turlock Irrigation District Drinking Water Supply study. (Staff has reviewed the proposed Memorandum of Understanding for the next phase of the Drinking Water Supply Study and feel it is now appropriate to hire special counsel to review the document. Memo with agenda. Resolution authorizing City Attorney to retain Bartkiewicz, Kronick and Shanahan. Estimated cost: \$120 to \$135 per hour. Funds are budgeted.)

ACTION: Res. 90-740 adopted approving agreement. (Attorney to handle)

CONSENT

15. Consider request for sewer service to property outside City limits at 425 W. Hatch Road located on the north side of Hatch Road between Cascade and Dallas. Owners: Terry D. & Sharon M. Hamilton and Richard C. and Mary K. Hamilton.

(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City but a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 90-741 adopted approving agreement. (P/W to handle)

CONSENT

16. Consider approving an easement agreement with Southern Pacific Transportation Company to construct, maintain and operate an 18" water pipeline across their right of way.

(Memo with agenda. Resolution approving easement agreement needed. Estimated cost: \$460. Funds are budgeted.)

ACTION: Res. 90-742 adopted approving easement agreement. (P/W to handle)

17. Consider modifying speed limits on various streets.

(Memo with agenda. A total of twelve updated or revised radar-enforceable speed limits are proposed and a new radar limit is proposed for Creekwood Drive. Motion introducing an ordinance amending the Municipal Code needed. Estimated cost: \$720. Funds are budgeted.)

ACTION: By motion (Irizarry/Bird, unan.) Ord. No. 2728-C.S. introduced approving recommendations except items 1,4 and 6 of Section B which are to be resurveyed. (Clerk,P/W to handle)

WRITTEN COMMUNICATIONS

18. Letter from Paul Holtzclaw, P & R Enterprises, requesting the refund of \$620 for an application fee for a PD amendment.
(Memo with agenda.)

ACTION: Res. 90-743 adopted (Lang/Irizarry, unan.) approving refund. (Planning/Finance to handle)

CONSENT

19. Letter from Jerry T. Matsunaga resigning from the Human Relations Commission effective when a replacement is appointed.
(Resolution accepting resignation with regret needed.)

ACTION: Res. 90-744 adopted accepting resignation. (Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

20. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned in memory of Shirley Elke at 9:17 p.m. to Tuesday, September 11, 1990, at 2:00 p.m. in the Third Floor Conference Room, City Hall, 801 11th Street, Modesto, California, for a study session concerning the City's boards and commissions.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 11, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 10, 11, 12, 13,
15, 16, 17, 20, 21

Removed from consent: 5, 18, 19

ACTION: (Lang/Patterson, unan.)

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

- a. Acknowledge Modesto Business delegation to be lead by Mayor Whiteside to our Sister City of Khmel'nitsky in the Soviet Union.
(Memo with agenda.)

ACTION: Res. 90-745 adopted (Lang/Muratore, unan.) accepting financial contributions from the International Friendship Committee and the City of Khmel'nitsky for expenses incurred by the Mayor.

- b. Announcement concerning Airport disaster drill during Emergency Medical Services Week, September 16 to 22, 1990.

chief Sheldon and Raymond Jester described the drill to be held on September 20. Vice Mayor Bird presented them with a proclamation concerning Emergency Medical Services Week.

- c. Presentation by U. S. Site Selection Committee

John King gave the City Council T-shirts promoting the location of the new University of California campus in this area.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of September 4, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Sarah Woods expressed concerns about the invocation at the beginning of the Council meetings, and asked about the status of the proposed Youth Coordinator position.

UNFINISHED BUSINESS

4. Status report on Forward Modesto IV recommendations.
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Dobbs/Bird, unan.), receipt of report was acknowledged.

CONSENT

5. Consider report relating to sewer house line repair and adopting a policy establishing a "House Sewer Line Repair Cost-share Program" for repair of the house sewer line within the public right of way where public street improvements exist for all properties within the City limits. In addition, consider adopting an installment payment plan, single-family dwellings only, for property owners to pay over a period of time for the owner's share of the repair cost within the public right of way. (Memo with agenda. Motion approving report and resolution adopting a policy establishing a "House Sewer Line Repair Cost-share Program" needed. Estimated cost: \$40,000 for City's 50% share of repair cost; \$25,000 for a notes receivable balanced sheet account for installment payment program to accommodate loan requests for property owners' 50% share, for single-family dwellings only.)

ACTION: By motion (Lang/Muratore, unan.), the report was approved.

Res. 90-746 adopted (Lang/Muratore, unan.) adopting policy.
(Public Works & Trans./Clerk to handle)

CONSENT

6. Final adoption of Ordinance No. 2728-C.S. amending the Modesto Municipal Code sections concerning speed limits in Modesto. (Motion adopting needed.)

ACTION: By motion, Ordinance No. 2728-C.S. was adopted. (Clerk to handle)

BIDS

CONSENT

7. Consider waiving formal bid procedures and authorizing the purchase of twenty used, four-door and two-door 1990 sedans from Golden Gate Auction and Bay Cities Auto Auction for a total cost not to exceed \$259,000. (Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-747 adopted waiving formal bid procedures and authorizing purchase of sedans. (Finance to handle)

NEW BUSINESS

Mayor Whiteside excused at 5:04 p.m.

8. Discussion of Modesto Police Department and Modesto City Schools Truancy Program, as requested by Councilmember Patterson.

ACTION: By motion (Patterson/Irizarry, unan., Whiteside absent), the Police Department was authorized to participate in the program, with a status report to be prepared in three months. (Police to handle)

9. Consider adopting a new logo for Modesto's bus system. (Memo with agenda. The City Council adopted Modesto Area Express (MAX) as the new name for Modesto's bus system. At the Council meeting, staff will present the logo recommended by the City-County Joint Transportation Committee to accompany the name. Motion approving logo needed.)
- ACTION: By motion (Lang/Patterson, unan., Whiteside absent), the solid blue logo was chosen. (Public Works & Trans. to handle)

CONSENT

10. Consider approving City-County Joint Transportation Committee recommendations to expand Dial-a-Ride's service area boundary and to adopt a policy for designating bus stops along all City bus routes in Modesto. (Memo with agenda. The Dial-a-Ride boundary expansion will provide service to the new Frito-Lay plant and will not increase Dial-a-Ride's operating cost. The bus stop policy will enable staff to follow an adopted policy in establishing designated bus stops. The concept of installing signs was previously approved by the City Council. Motion approving Dial-a-Ride expansion and bus stop policy needed. Estimated cost: \$118,000, \$59,000 of which has been approved in the Capital Improvement Program. The remaining \$59,000 will be requested in future years' budgets.)

ACTION: By motion, recommendations approved. (Public Works & Trans. to handle)

CONSENT

11. Consider approving an agreement with Parsons Brinckerhoff Quade & Douglas, Inc., to provide architectural/engineering services for the Downtown Transportation Center. (Memo with agenda. The contract includes a lump sum amount of \$280,500 for basic services and an additional \$68,000 for services to be provided on an as-needed basis. Federal funds are covering 67.0% of the cost, State funds 2.9%, and Local Transportation Fund 30.1%. Resolution approving agreement needed. Estimated total cost: \$348,500. Funds are budgeted.)

ACTION: Res. 90-748 adopted approving agreement. (Public Works & Trans. to handle)

CONSENT

12. Presentation of the Airport Advisory Committee's 1989-90 fiscal year Annual Report. (Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

13. Consider approving an appropriation transfer of \$3,000 from the Airport Contingency Reserve to complete a structural evaluation of Hangar #1 at the Modesto City-County Airport.
(memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 90-749 adopted approving appropriation transfer.
(Finance to handle)

Mayor Whiteside returned at 5:30 p.m.

14. Consider City of Modesto budget options in relation to State budget impacts.
(Memo with agenda.)

ACTION: By motion (Muratore/Lang, majority, Bird - no), receipt of report acknowledged.

CONSENT

15. Consider recommendation regarding participation in the event called "The Great Cover-Up II", a day when volunteer citizens will join with various groups and agencies to paint over graffiti in Modesto, and approval of an appropriation transfer of \$1,000 for related expenses.
(Memo with agenda. Motion approving staff recommendation and resolution approving appropriation transfer needed.)

ACTION: By motion, recommendation approved.
Res. 90-750 adopted expressing support.
Res. 90-750-A adopted approving appropriation transfer.
(Manager/Finance to handle)

CONSENT

16. Consider approval of LAFCO Questionnaire indicating no opposition to the Florence-Panama Reorganization.
(Proponents propose an annexation of 10.6 acres to the City of Modesto and Modesto Municipal Sewer District No. 1 and simultaneously detach the area from the Burbank-Paradise Fire District. The area is on the north and south sides of Florence Avenue and east of Panama Drive. Memo, map, LAFCO Questionnaire, and environmental assessment documents with agenda. Resolution approving LAFCO Questionnaire needed.)

ACTION: Res. 90-751 adopted indicating no opposition.
(Planning & C. D. to handle)

CONSENT

17. Consider an amendment to the agreement with the Modesto Irrigation District and Del Este Water Company for the surface water study. (This agreement will combine costs previously approved by Council in addition to more recent costs. This action will bring the Pilot Plant/Environmental Impact Report portion of the project to a close. Memo with agenda. Resolution approving amendment to agreement needed. Estimated cost: \$15,687.70. Funds are budgeted.)

ACTION: Res. 90-752 adopted approving amendment.
(Public Works & Trans. to handle)

18. Consider authorizing one additional Senior Civil Engineer position to provide technical and management expertise for the storm drainage program. (Memo with agenda. Resolution approving a \$56,000 appropriation transfer from the Sewer Fund Reserve and motion authorizing additional position needed.)

ACTION: Res. 90-753 adopted (Muratore/Whiteside, majority, Patterson-no), approving appropriation transfer.

By motion (Muratore/Whiteside, majority, Patterson-no), additional position authorized.
(Public Works & Trans./Manager/Finance to handle)

19. Consider appropriating \$46,894 from the Water Fund Reserve to fund two supplemental budget requests. (Two items are needed to maintain or improve the level of service in the Water Division. Each item has critical timing and is needed before scheduled City Council consideration of all supplemental budget requests in September or October. Memo with agenda. Resolution approving appropriation transfer and motion authorizing a Pump Mechanic position needed.)

ACTION: Res. 90-754 adopted (Lang/Muratore, majority, Irizarry and Patterson-no), approving appropriation transfer.

By motion (Lang/Muratore, majority, Irizarry and Patterson-no), additional position authorized.
(Public Works & Trans./Manager/Finance to handle)

CONSENT

20. Consider authorizing the City Manager to sign the Letter of Intent and any and all documents that will accomplish the approval of funding under the State's Drinking Water Bond Law. (Memo with agenda. Resolution authorizing City Manager to sign Letter of Intent and other documents needed.)

ACTION: Res. 90-755 adopted approving signing of Letter of Intent and related documents. (Public Works & Trans. to handle)

CONSENT

21. Consider request by the County for interim Library funding to cover the period from July 1 through September 30, 1990.
(Memo with agenda. Motion authorizing the expenditure of \$13,500, and resolution approving an appropriation transfer from General Fund Contingency Reserve for the Modesto Main Library needed.)

ACTION: By motion, expenditure authorized.

Res. 90-756 adopted approving appropriation transfer.

(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

22. Letter from the Downtown Improvement District Advisory Board requesting permission to use downtown sidewalks for a sidewalk sale on September 20, 21, and 22, 1990.
(Motion approving request needed.)

ACTION: By motion, request approved.

(Planning & C. D. to handle)

MATTERS TOO LATE FOR THE AGENDA

23. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 6:30 p.m. to September 11, 1990, at 7:30 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, for a public hearing on Village One General Plan Amendment and certification of the final EIR.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Council Chambers, City Hall
801 11th Street
Modesto, California

MINUTES AND ACTION AGENDA

AGENDA FOR ADJOURNED REGULAR COUNCIL MEETING OF TUESDAY, SEPTEMBER 11, 1990,
AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Councilmember Dobbs arrived at 7:46 p.m.

Absent: None

A copy of this agenda is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto and in the City Clerk's Office, City Hall, 801 11th Street. A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

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HEARINGS

1. Hearing to consider Village One General Plan Amendment
 - a. Opening remarks by Mayor
 - b. Presentations on Village one Final EIR and General Plan Amendment
 - c. Public hearing
 - d. City Council consideration - certification of Village One Final EIR and adoption of General Plan Amendment

ACTION: Res. 90-757 adopted (Patterson/Dobbs, unan.) certifying Environmental Impact Report.

Res. 90-758 adopted (Patterson/Dobbs, unan.) adopting the General Plan Amendment.

By motion, (Patterson/Dobbs, unan.) the Council endorsed Measure F, the sewer extension to the Village I area, which will appear on the November 6, 1990, ballot.

ORAL COMMUNICATIONS

2. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

MATTERS TOO LATE FOR THE AGENDA

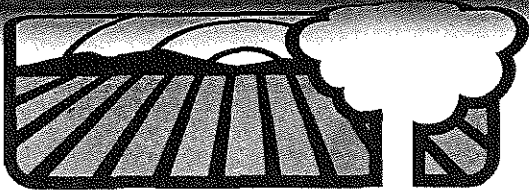
3. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 9:13 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

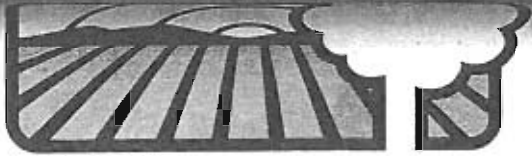
The Council of the City of Modesto met in a special session at 7:15 p.m., September 18, 1990, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson,
Mayor Whiteside

Absent: None

The meeting adjourned at 7:15 p.m. to closed session to discuss pending litigation, pursuant to Government Code Section 54956.9(c).

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 18, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Jim Bouck, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 9, 10, 12, 14,
15, 16, 17, 18, 27

Dropped from agenda: 11

Removed from consent: 13, 19, 20, 21, 22, 23, 24

ACTION: (Lang/Muratore, unan.)

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

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1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

- 2. Approval of the minutes of the regular City Council meeting and the two adjourned regular meetings of September 11, 1990. (Motion approving needed.)

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

ORAL COMMUNICATIONS

- 3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Lew Mayhew presented a G.O.A.L. Resolution endorsing the Village I Plan and Measure F.

UNFINISHED BUSINESS

- 4. Consider directing staff on financing the construction of the proposed pedestrian overpass at Johansen High School. (There are alternate methods of financing the project, either by an assessment district or by other funds available to transfer to this project. Motion directing staff needed.)

ACTION: By motion (Irizarry/Bird, unan.) this item continued.

HEARINGS

- 5. Hearing on order to construct alley resurfacing:

Block

Streets

6012 Como Park Way - College Ave./Oberline Cr. - Roseburg Avenue

6016 Roseburg Ave. - Ashwood Dr./Greenwood Dr. - Del Rey Avenue

6728 Monte Verde Ave. - Monticello Ave./Bowen Ave. - Mount Vernon Dr.

ACTION: Res. 90-759 adopted (Muratore/Lang, unan.) ordering construction. (P/W to handle)

6. Hearing to consider the appeal of Doctors Medical Center to a Planning Commission decision regarding an application for an amendment to Section 20-3-9 of the Zoning Map to P-D(317), for an addition to the Doctors Medical Center emergency services facilities on the north side of W. Orangeburg Avenue and Sherwood Avenue.
Councilmember Bird excused due to a conflict of interest.

ACTION: Res. 90-760 adopted (Patterson/Irizarry, unan., Bird absent)
granting appeal and deleting Sherwood Avenue from Condition No. 2.
(Clerk/Planning to handle)

7. Hearing to consider an amendment to Section 22-3-9 of the Zoning Map to rezone from P-0, to P-D(477), property located on the northwest corner of Oakdale Road and East Orangeburg Avenue. (Union Safe Deposit Bank)
Councilmember Irizarry excused due to a conflict of interest.

ACTION: By motion (Lang/Muratore, unan., Irizarry absent) Ord. No. 2729-C.S.
introduced.
Res. 90-761 adopted (same vote) approving plan.
Res. 90-762 adopted (same vote) certifying review of Environmental
Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

8. Consider approval of plans and specifications and call for bids for additional rip rap repair at the storage ponds on Jennings Road, and consider approval of an appropriation transfer of \$30,000 from the Sewer Fund Reserve to provide funding for a Capital Improvement Project.
(Suggested bid opening: October 11, 1990, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and calling for bids, and resolution approving appropriation transfer needed. Estimated cost: \$30,000 (contract - \$27,000; eng. & cont. - \$3,000).

ACTION: Res. 90-763 adopted calling for bids.
Res. 90-764 adopted approving appropriation transfer.
(P/W to handle)

CONSENT

9. Consider declaring Duke Equipment Co., Jenkins Machinery, Inc., and H. V. Carter Co. low bidders and authorize the purchase of golf course turf maintenance equipment for the total price of \$117,474.
(Memo with agenda. Three resolutions authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 90-765 adopted awarding bid to Duke Equipment Company.
Res. 90-766 adopted awarding bid to Jenkins Machinery, Inc.
Res. 90-767 adopted awarding bid to H.V. Carter Company.
(Finance to handle)

CONSENT

10. Consider declaring Hazard Management Services, Inc., of Modesto as low bidder and authorize the purchase of an Asbestos Inventory Mitigation Report for the total price of \$38,400.
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 90-768 adopted authorizing purchase. (Finance to handle)

NEW BUSINESS

CONSENT

11. Consider authorizing staff to retain Computer Resource Group to improve the Industrial Waste Division's existing computer program.
(Memo with agenda. Resolution approving an appropriation transfer of \$25,000, and resolution waiving formal bid procedures (five affirmative votes needed) and retaining Computer Resource Group needed.)

Dropped from agenda.

CONSENT

12. Consider abandonment of a portion of the drainage basin easement in Block 5180 of the West Campus Business Center No. 1 Subdivision of the City of Modesto.
(Memo with agenda. Resolution vacating and abandoning a portion of the easement needed.)

ACTION: Res. 90-769 adopted abandoning portion of easement. (P/W to handle)

13. Consider an amendment to the agreement between the City of Modesto and Recht, Hausrath and Associates for unit costs of ongoing services relating to Capital Facilities Fees.
(The standard hourly rates for the consultant's staff need an update from 1988 rates for the balance of calendar year 1990. For example, the \$85 per hour rate for Dick Recht (including secretarial support services) of 1988 needs to be increased to \$100-110 per hour for the balance of 1990 and 1991 calendar year. Resolution amending the agreement and resolution approving new salary schedule needed.)

ACTION: Res. 90-770 adopted (Lang/Muratore, majority, Bird-no) amending agreement.
Res. 90-771 adopted (same vote) approving new salary schedule.
(Planning to handle)

CONSENT

14. Consider accepting \$65,000 in State grant funds for the Dry Creek Trail project and authorizing the City Manager to sign the project agreement; and consider amending the budget to estimate new grate revenue and appropriating revenue to a new Capital Improvement Project.
(Memo with agenda. Resolution approving agreement, resolution amending budget and resolution certifying review of Environmental Assessment needed.)

ACTION: Res. 90-772 adopted approving agreement.
Res. 90-773 adopted amending budget.
Res. 90-774 adopted certifying review of Environmental Assessment.
(P/R, Finance to handle)

CONSENT

15. Consider issuing a letter of intent to participate with Stanislaus County for the implementation of AB 939, concerning a Source Reduction and Recycling Element, and a household hazardous waste program, and setting a public hearing for October 2, 1990, at 7:30 p.m. to consider an increase in tipping fees at the Waste-to-Energy facility to fund these programs.
(Memo with agenda. Motion approving issuing letter of intent, and resolution setting public hearing needed.)

ACTION: By motion, Letter of Intent approved.
Res. 90-775 adopted setting hearing. (Clerk to handle)

CONSENT

16. Consider request for sewer service to property outside City limits at 1810 Las Vegas, located on the east side of Las Vegas between Glenn Avenue and Butte Avenue. Owner: Peter Palomino
(The property owner has sign an agreement to annex when requested to do so by the City. The property is contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 90-776 adopted approving agreement. (P/W to handle)

CONSENT

17. Consider request for water service to property outside City limits at 1208 Houser Lane, located on the south side of Houser Lane between Wilma Drive and Panama Drive. Owner: William G. Schmitz
(The property owner has sign an agreement to annex when requested to do so by the City. The property is contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 90-777 adopted approving agreement. (P/W to handle)

CONSENT

18. Presentation of monthly Treasurer's Report for August, 1990.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

19. Consider approving an agreement with Center for Senior Employment/Senior Aides Program for a grant of \$25,000 to provide services which are the sponsorship of the Senior Aides Program with funding from the National Council of Senior Citizens to place low income senior citizens into jobs under the 1990-91 Community Development Block Grant (CDGB) program.
(Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)
Councilmember Irizarry excused due to a conflict of interest.

ACTION: Res. 90-778 adopted (Lang/Dobbs, unan., Irizarry absent)
(Planning to handle)

20. Consider approving an agreement with Volunteer Center of Stanislaus for a grant of \$15,000 to provide coordination of one-to-one tutoring for low income persons under the 1990-91 Community Development Block Grant (CDGB) program.
(Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 90-779 adopted (Lang/Bird, unan.) approving agreement.
(Planning to handle)

21. Consider approving an agreement with Senior Opportunity Service Program/Senior Nutrition Program for a grant of \$25,000 to provide continuation of a senior nutrition program to prevent cutbacks in service under the 1990-91 Community Development Block Grant (CDGB) program.
(Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 90-780 adopted (Lang/Bird, unan.) approving agreement.
(Planning to handle)

22. Consider approving an agreement with Senior Opportunity Service Program/Combined Services Program for a grant of \$5,000 to provide combined services for four nonprofit agencies for low income persons at 1020 15th Street, Modesto, under the 1990-91 Community Development Block Grant (CDGB) program.
(Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 90-780 adopted (Lang/Bird, unan.) approving agreement.
(Planning to handle)

23. Consider approving an agreement with Senior Opportunity Service Program/Minor Home Repair Program for a grant of \$10,000 to provide minor repairs of homes of low income senior citizens who are unable to do or secure these repairs themselves under the 1990-91 Community Development Block Grant (CDGB) program.
(Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 90-781 adopted (Lang/Bird, unan.) approving agreement.
(Planning to handle)

24. Consider approving an agreement with Stanislaus Women's Refuge Center/Haven for a grant of \$7,500 to provide bilingual service to battered/abused women and their children who need shelter under the 1990-91 Community Development Block Grant (CDGB) program.
(Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 90-782 adopted (Lang/Bird, unan.) approving agreement.
(Planning to handle)

WRITTEN COMMUNICATIONS

25. Letter from Daniel Cobb concerning parking of privately owned buses in the City.

By order of the Chair, staff directed to see if a way can be found to accommodate Mr. Cobb's needs without infringing on the rights of neighbors.
(Police to handle)

26. Letter from James R. Davis concerning the agreement to provide sewer service to new developments in the North Central Annexation in Ceres.

By order of the Chair staff directed to prepare a report for Council about options the City of Modesto has.
(Atty, P/W to handle)

CONSENT

27. Request by Don Lundberg of the United Nations for direct City assistance with the annual U. N. Day celebration on October 24, 1990.
(Custodial assistance is requested for setting up chairs and equipment in the City Hall courtyard. Motion approving request needed.)

ACTION: By motion, request approved. (P/W to handle)

MATTERS TOO LATE FOR THE AGENDA

28. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 9:46 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 25, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 8, 9,10, 12, 13,
15, 16, 17

Removed from consent: 14

Dropped from agenda: 11

ACTION: (Lang/Irizarry, unan.)

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Item 6
COUNCILMEMBER IRIZARRY EXCUSED DUE TO A CONFLICT OF INTEREST.

ACTION: (Patterson/Bird, unan., Irizarry absent)

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Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

WPCC197

1

9-25-90

Assistive listening devices are available upon request to the City Clerk.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

- a. Presentation concerning Disability Awareness Week.

Pat Akers announced Disability Awareness Week October 7-13, 1990.
Mayor Whiteside presented a proclamation to Ms. Akers.

- b. Councilmember Irizarry acknowledged construction of the "24 hour house" with proceeds to go to the Drug Awareness Program.

MINUTES

CONSENT

2. Approval of the minutes of the special and regular City Council meetings of September 18, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

4. Consider options relating to State budget impacts and introduce amendments to the Modesto Municipal Code adjusting revenue.
(Motion acknowledging receipt of report and introducing two ordinances amending the Municipal Code needed.)

ACTION: By motion (Irizarry/Bird, majority, Lang and Muratore-no) Ord. No. 2730-C.S. introduced amending Code regarding fees.
Ord. No. 2731-C.S. introduced,
By motion (same vote)/amending Code and adding section relating to revenue enhancements. (Finance/Clerk to handle)

CONSENT

5. Status report on City of Modesto's CEQA Policy/Procedure for Public School Capital Facilities Impacts and Mitigation.
(The report with agenda is a follow-up on an item on the August 21, 1990, Council agenda. Motion acknowledging receipt of report and continuing the item to October 16, 1990, at 7:30 p.m. needed.)

ACTION: By motion, receipt of report acknowledged, and the item continued to October 16, 1990, at 7:30 p.m. (Clerk, P/W to handle)

Assistive listening devices are available upon request to the City Clerk.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

- a. Presentation concerning Disability Awareness Week.

Pat Akers announced Disability Awareness Week October 7-13, 1990. Mayor Whiteside presented a proclamation to Ms. Akers.

- b. Councilmember Irizarry acknowledged construction of the "24 hour house" with proceeds to go to the Drug Awareness Program.

MINUTES

CONSENT

2. Approval of the minutes of the special and regular City Council meetings of September 18, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

4. Consider options relating to State budget impacts and introduce amendments to the Modesto Municipal Code adjusting revenue.
(Motion acknowledging receipt of report and introducing two ordinances amending the Municipal Code needed.)

ACTION: By motion (Irizarry/Bird, majority, Lang and Muratore-no) Ord. No. 2730-C.S. introduced amending Code regarding fees.

By motion (same vote) amending Code and adding section relating to revenue enhancements. (Finance/Clerk to handle)

CONSENT

5. Status report on City of Modesto's CEQA Policy/Procedure for Public School Capital Facilities Impacts and Mitigation.
(The report with agenda is a follow-up on an item on the August 21, 1990, Council agenda. Motion acknowledging receipt of report and continuing the item to October 16, 1990, at 7:30 p.m. needed.)

ACTION: By motion, receipt of report acknowledged, and the item continued to October 16, 1990, at 7:30 p.m. (Clerk, P/W to handle)

CONSENT -- COUNCILMEMBER IRIZARRY EXCUSED DUE TO A CONFLICT OF INTEREST

6. Final adoption of Ord. No. 2729-C.S. amending the Zoning Map to rezone from P-0 to P-D(477) property on the northwest corner of Oakdale Road and East Orangeburg Avenue (Union Safe Deposit Bank.)
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2729-C.S. adopted. (Clerk to handle)

HEARINGS

7. Hearing to consider an amendment to Section 21-3-9 of the Zoning Map to rezone from R-1, to P-0, property located at 303 East Orangeburg Avenue, west of Nelson Avenue. (Architecture Plus)

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2732-C.S. introduced.
Res. 90-783 adopted certifying review of Environmental Assessment.
(Clerk/Planning to handle)

BIDS

CONSENT

8. Consider awarding contract for Residential Alley Paving Project No. 16 to George Reed, Inc., and consider amending the budget to transfer \$85,000 from the Housing Program Office budget to the Capital Improvement Program budget and to include \$52,265 estimated additional revenue to be received from property owners.
(Memo with agenda. Bids were opened August 23, 1990. George Reed submitted the low bid of \$124,785 for the project. Resolution awarding project and resolution amending budget needed. Estimated cost: \$137,265 (const. - \$124,785; eng. & cont. - \$12,480).)

ACTION: Res. 90-784 adopted awarding contract.
Res. 90-785 adopted amending budget. (P/W to handle)

NEW BUSINESS

CONSENT

9. Consider accepting right of entries from Scenic Road Properties and Grant Construction Company.
(Right of entries are needed from two property owners to finalize the bicycle bridge at Scenic and Coffee. Memo with agenda. Two resolutions accepting right of entries needed.)

ACTION: Res. 90-786 adopted accepting right of entry from Scenic Road Properties.
Res. 90-787 adopted accepting right of entry from Grant Construction Company. (Attorney to handle)

CONSENT

10. Consider authorizing City Manager to sign an application for \$52,130 in funding from the State Public Resources Account for a limited-term Youth Program Supervisor position, and consider job description and salary range for the position.
(Memo with agenda. Resolution authorizing City Manager to sign grant application, motion allocating a limited-term position of Youth Program Supervisor, resolution amending Position Classification Plan, and resolution amending class range table to set salary at Range 432 needed.)

ACTION: Res. 90-788 adopted authorizing signing of grant application.
Res. 90-789 adopted amending Position Classification Plan.
Res. 90-790 adopted amending salary schedule. (Mgr/P & R to handle)

11. Consider establishing procedures and requirements for considering development agreements.
(Memo with agenda. Resolution adopting procedures and requirements needed.)

Dropped from agenda

CONSENT

12. Consider amending the Modesto Municipal Code to allow the City Attorney to prosecute municipal code violations either as misdemeanors or as infractions.
(After amendment Code Section 1-2.01 will again be consistent with its Charter section counterpart. Memo with agenda. Motion introducing an ordinance amending the Municipal Code needed.)

ACTION: By motion, Ord. No. 2733-C.S. introduced amending Code relating to punishment for Municipal Code violations. (Clerk to handle)

CONSENT

13. Consider increasing the amount previously set aside to make restrooms in five City parks accessible to handicapped persons under the Community Development Block Grant program, and consider approving an appropriation transfer of \$100,000.
(Memo with agenda. Resolution approving increased funding, and resolution approving appropriation transfer needed.)

ACTION: Res. 90-791 adopted approving increased funding.
Res. 90-792 adopted approving appropriation transfer. (Planning to handle)

14. Presentation of City Manager's Report, 1989-90.
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: Res. 90-793 adopted (Muratore/Patterson, unan.) expressing appreciation and gratitude to Garth Lipsky upon his retirement.
By motion.(Muratore/Patterson, unan.) receipt of report acknowledged. (Clerk to handle)

CONSENT

15. Consider approval of the final map of Christine Heights Unit No. 1 Subdivision of the City of Modesto and consider accepting improvements. Subdivider: David A. and Susan L. Schwartz
(All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Christine Heights Unit No. 1 is located at the southeast corner of Carpenter Road and Houser Lane. It contains 1.513 acres. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 90-794 adopted accepting improvements. (Clerk to handle)

CONSENT

16. Consider revisions to the City of Modesto designated truck route map. (Memo with agenda. The Modesto designated truck routes have not been updated since April, 1975. The proposed revisions are in response to changes that have occurred in both the volume and type of traffic in Modesto. Resolution approving revised designated truck route map and resolution certifying review of environmental assessment negative declaration. Estimated cost: \$1,200. Funds are budgeted.)

ACTION: Res. 90-795 adopted approving revised truck route map.
Res. 90-796 adopted certifying review of environmental assessment. By motion (Muratore/Irizarry, unan.) it was agreed to reopen this item for comments by a citizen. Richard McBride, Fairbanks Trucking, requested notification when structural testing will be done.
(P/W to handle)

WRITTEN COMMUNICATIONS

CONSENT

17. Letter from Kamruddin Shams resigning from the International Friendship Committee.
(Resolution accepting resignation with regret needed.)

ACTION: Res. 90-797 adopted accepting resignation. (Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

18. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

Meeting adjourned at 5:40 p.m. to Wednesday, September 26, 1990, at 11:00 a.m., in the City Hall parking garage for a tour of the McClure Property.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned session at 11:00 a.m., September 26, 1990, in the parking garage, City Hall, Modesto, California.

Present: Councilmembers Dobbs, Irizarry, Muratore, Mayor Whiteside

Absent: Councilmembers Bird, Lang, Patterson

The City Council left City Hall to travel to the McClure property for a tour of the building.

The meeting adjourned at 12:18 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 2, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Muratore,
Patterson, Mayor Whiteside

Absent: Councilmember Lang

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 6, 8, 10, 11, 12,
13, 14, 15, 16, 19

Dropped from agenda: 17

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

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Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

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1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of September 25, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Irene Westbury spoke about Domestic Violence Awareness Month October, 1990.

UNFINISHED BUSINESS

CONSENT

4. Consider request for an additional \$3,500 for the County library for the 1990-91 fiscal year, and approving an appropriation transfer from the General Fund Contingency Reserve.
(Memo with agenda. Motion approving request and resolution approving an appropriation transfer needed.)

ACTION: By motion the request was approved.
Res. 90-798 adopted approving appropriation transfer.
(Manager/Finance to handle)

5. Final adoption of Ordinance No. 2730-C.S. and Ordinance No. 2731-C.S. amending Modesto Municipal Code sections concerning fees and revenues.
(Motion adopting needed.)

ACTION: By motion (Muratore/Patterson, majority, Muratore-no, Lang-absent) Ordinances 2730-C.S. and 2731-C.S. adopted. (Clerk to handle)

CONSENT

6. Final adoption of:

- a. Ordinance No. 2732-C.S. amending the Zoning Map to rezone from R-1 to P-O property located at 303 East Orangeburg Avenue (Timothy S. Fisher, Architecture Plus)

- b. Ordinance No. 2733-C.S. amending the Modesto Municipal Code section relating to punishment for Municipal Code violations.

(Motion adopting needed.)

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

HEARINGS

7. Hearing to consider an increase in tipping fees at the Waste-to-Energy Facility.

ACTION: Res. 90-799 adopted (Patterson/Bird, majority, Dobbs-no, Lang absent)
(P/W to handle)

BIDS

CONSENT

8. Consider award of contract for the construction of MID Lateral No. 4 canal crossing at Carpenter Road.
(Bids were opened September 18, 1990. The low bid of \$83,210, submitted by H. Max Lee, Inc., is 16.94 percent below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 90-800 adopted awarding contract. (P/W to handle)

NEW BUSINESS

9. Consider directing staff to establish an assessment district to finance improvements at the Sisk/Dale/Standiford intersection and adjacent street.
(Memo with agenda. Considerable staff time is required to establish an assessment district. Direction from Council is needed to start this effort. Motion directing staff needed.)

ACTION: By motion (Irizarry/Bird, unan., Lang absent) staff directed to proceed with assessment district. (P/W to handle)

CONSENT

10. Consider appointing Deputy City Manager Paul Baxter as Acting City Manager upon the vacancy of the City Manager position.
(With the retirement of Garth Lipsky, City Manager, it would be appropriate to appoint Deputy City Manager Paul Baxter to the position of Acting City Manager and provide for a 15% increase in acting pay. Resolution appointing Deputy city Manager Paul Baxter as Acting City Manager needed.)

ACTION: Res. 90-801 adopted appointing Paul Baxter as Acting City Manager.
(Attorney to handle)

CONSENT

11. Consider authorizing the City Manager to sign an agreement with Recreation Systems, Inc., for landscape design services for Tuolumne River Regional Park, as requested by the Tuolumne River Regional Park Committee, and consider approving an appropriation transfer from the T.R.R.P. Contingency Reserve.
(Memo with agenda. Resolution approving agreement and resolution approving appropriation transfer needed. Estimated cost: \$12,000.)

ACTION: Res. 90-802 adopted approving agreement.
Res. 90-803 adopted approving appropriation transfer.
(P/R, Finance to handle)

CONSENT

12. Consider authorizing City Manager to sign agreement with Stanislaus County for plan checking and inspection responsibilities for the Roselle Middle School.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-804 adopted approving agreement. (P/W to handle)

CONSENT

13. Consider establishing conditions for issuing encroachment permits to place news racks in the sidewalk-planting strips.
(Memo with agenda. Resolution establishing conditions needed.)

ACTION: Res. 90-805 adopted establishing conditions. (P/W to handle)

CONSENT

14. Consider approval of the final map of Mac Estates Subdivision of the City of Modesto and accepting improvements. Subdivider: Turner-Edwards Development
(All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Mac Estates is located south of Rouse Avenue at Vicksburg Street. It contains 1.758 acres. Memo with agenda. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 90-806 adopted approving final map. (Clerk to handle)

CONSENT

15. Consider acceptance of improvements in Oxford Place Subdivisions and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Florsheim Bros.
(Oxford Place Subdivision is located on the west side of Roselle Avenue between E. Briggsmore Avenue and Merle Avenue. It contains 2.282 acres. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 90-807 adopted accepting improvements as complete.
(Clerk to handle)

CONSENT

16. Consider approving an agreement with Equality Council for Housing Opportunities of Stanislaus for a grant of \$20,000 to continue fair housing testing and counseling activities, under the 1990-91 Community Development Block Grant (CDGB) Program.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-808 adopted approving agreement. (Planning to handle)

CONSENT

17. Consider approving an agreement with Multi-Cultural Center for a grant of \$25,000 to provide continuation of a Job Readiness and Job Development Program, under the 1990-91 Community Development Block Grant (CDGB) Program.
(Memo with agenda. Resolution approving agreement needed.)

Dropped from agenda

WRITTEN COMMUNICATIONS

18. Letter from Daniel & Antoinette Toppero and Terry & Toni Bohme concerning a business use in a shopping center.

Continued to the October 9, 1990, City Council meeting at Mr. Bohme's request. (Clerk to handle)

- 18A. Letter from Diane Twine concerning an increase in crime in the 600 block of 16th Street in Modesto.

Dropped from agenda, at Ms. Twine's request.

MISCELLANEOUS

Legislation

CONSENT

19. Staff recommends opposition to November Ballot Proposition 136, The Taxpayer's Right to Vote.
(Memo with agenda. Motion accepting recommended needed.)

By motion, recommendation approved. (Manager to handle)

MATTERS TOO LATE FOR THE AGENDA

20. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

ACTION: By motion (Muratore/Dobbs, unan., Lang absent) Friday, October 5, 1990, proclaimed as U.C. T-shirt day in Modesto.

ADJOURNMENT

The meeting adjourned at 8:19 p.m. to October 9, 1990, at 2:00 p.m., in the City Hall Third Floor Conference Room, 801 11th Street, Modesto, for a study session concerning reduction of crime and improvement of police services, and to conclude a review of Boards, Commissions and Committees.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned session at 2:00 p.m., October 9, 1990, in the Third Floor Conference Room, City Hall, Modesto, California, for a study session.

Present:

Absent: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson,
Mayor Whiteside

The meeting adjourned at 2:00 p.m. due to lack of a quorum.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 3:30 p.m., October 9, 1990, in the Third Floor Conference Room, City Hall, Modesto, California, for a study session.

Present: Councilmembers Dobbs, Irizarry, Lang, Acting Mayor Bird

Absent: Councilmembers Muratore, Patterson, Mayor Whiteside

Members of the Village I committee, Citizens for a Planned Future - A Committee to Support Measure F, discussed the various things that have been and will be done to educate the voters concerning the Village I plan. They presented the talk and slide show that will be given to local groups over the next month.

The Councilmembers asked that the presentation be made again at the beginning of the October 16, 1990, City Council meeting.

The meeting adjourned at 3:55 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 9, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Dobbs, Irizarry, Lang, Muratore,
Patterson, Acting Mayor Bird

Absent: Mayor Whiteside

Pledge of allegiance to the Flag

Invocation: Rev. Rick Thompson, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 7e, 8, 9, 10, 11, 12,
13, 14, 15, 16,

Dropped from agenda: 17

Removed from consent: 18

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

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Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

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1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

a. Donation of a Thoroughbred from the Greater Modesto Community Foundation.
(Mr. Dean Hagstrom has donated Mio Dee, a 6 year 4 month old Thoroughbred, to the Greater Modesto Community Foundation for use by the Modesto Police Department. The Foundation is now transferring ownership of the horse to the Police Department. This horse is needed to replace one in our equestrian unit that has gone lame. Resolution accepting donation needed.)

ACTION: Res. 90-809 (Lang/Dobbs, unan., Whiteside absent) accepting with appreciation.

b. Presentation of National Night Out awards.
(Memo with agenda. Forward Modesto IV Follow-up: The City Council should revitalize and expand the activities of the Neighborhood Water Program.)

Acting Mayor Bird and Chief McKinsey presented awards to winners of National Night Out - "Neighbors of the Del's" and "Neighbors of Tonapah Circle".

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of October 2, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

John Hamilton, Taxpayers for Common Sense, asked the Council to oppose Proposition 134 and to support Proposition 126.

- ~~UNFINISHED BUSINESS~~
4. Report on McHenry Avenue cruising after six months' experience under the new ordinance.
(Memo with agenda. Motion acknowledging receipt of report and motion approving staff recommendation regarding barricades on McHenry cross streets needed.)

ACTION: By motion (Patterson/Irizarry, unan., Whiteside absent) receipt of report was acknowledged and recommendation concerning the barricades was approved. (Police to handle)

CONSENT

5. Consider request by Shadow Chase Running Club for direct City assistance with The Modesto Mile race on October 28, 1990.
(Memo with agenda. Motion denying request needed. Estimated cost if approved: \$1,239.)

ACTION: By motion, request denied.

HEARINGS

6. Hearing to consider approving the Fiscal Year 1990/91 UMTA Section 9 Program of Projects (POP) and filing a grant application with UMTA for the following projects in the POP which were approved by Council during the 1990/91 budget process:

Transportation Center - \$289,770

Bus stop sign purchase and installation - \$28,800

Staff vehicle - \$10,400

Operating assistance - \$1,325,258

ACTION: Res. 90-810 (Dobbs/Lang, unan., Whiteside absent) adopted approving filing of grant application. (P/W to handle)

7. Hearing to consider designation of the following sites as City of Modesto Landmark Preservation Sites:

a. The Modesto Ash Tree, planted before 1911, Third and Sierra

ACTION: Res. 90-811 adopted (Muratore/Dobbs, unan., Mayor Whiteside absent) approving designation.

b. Pump Station No. 9, 10th and Needham Streets

ACTION: Res. 90-812 adopted (Muratore/Dobbs, unan., Mayor Whiteside absent) approving designation.

c. The F. W. Woolworth Company Sign, installed in 1949, 1014 10th Street

ACTION: Res. 90-813 adopted (Muratore/Dobbs, unan., Mayor Whiteside absent) approving designation.

d. Fire Station No. 2, 629 Second Street, built in 1924

ACTION: Res. 90-814 adopted (Muratore/Dobbs, unan., Mayor Whiteside absent) approving designation.

CONSENT

e. Cressey Manor, 915 17th Street, built in 1917
(A request has been received to continue the Cressey Manor item to November 13, 1990. Motion continuing Cressey Manor hearing needed.)

ACTION: By motion this item was continued to November 13, 1990, at 4:00 p.m.
(Clerk to handle)

BIDS

CONSENT

8. Consider awarding contract for the Union Avenue railroad crossing to Western Stone Products, Inc., and consider approving an appropriation transfer to fund the project.
(Memo with agenda. Resolution awarding contract and resolution approving appropriation transfer needed. Estimated cost: \$30,018 (contract - \$26,062, railroad permit - \$1,350, eng. & cont. - \$2,606).

ACTION: Res. 90-815 adopted awarding contract.
Res. 90-816 adopted approving appropriation transfer.
(P/W, Finance to handle)

NEW BUSINESS

CONSENT

9. Consider request for sewer service to property outside City limits at 1814 Las Vegas Avenue, located on the east side of Las Vegas between Glenn and Butte. Owners: Art and Charlene Bornstein
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 90-817 adopted approving agreement. (P/W to handle)

CONSENT

10. Consider authorizing the Acting City Manager to sign an agreement with Computil Corporation for the processing of parking citations.
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-818 adopted approving agreement. (Finance to handle)

CONSENT

11. Consider approval of agreement with Ad Ventures of Stockton to promote/advertise Modesto's City transit systems.
(Memo with agenda. The agreement would be effective upon City Council approval and extend through June 30, 1991, with the option for two successive one-year extensions upon mutual agreement of Ad Ventures and the City. The amount of the agreement is subject to Council budget adoption. Resolution approving agreement needed. Estimated cost: \$41,700 for 1990-91. Funds are budgeted.)

ACTION: Res. 90-819 adopted approving agreement. (P/W to handle)

CONSENT

12. Consider adoption of Transit Section's Disadvantaged Business Enterprise (DBE) 1990-91 fiscal year goal of 13% participation in transit contract awards.
(Memo with agenda. UMTA requires adoption of an annual DBE goal. Resolution adopting goal needed.)

ACTION: Res. 90-820 adopted adopting goal. (P/W to handle)

CONSENT

13. Consider approving an extension to the State Grant Agreement for the Transportation Center.
(Memo with agenda. This amendment would extend the availability of grant funds through June 30, 1992. It has been prepared by the State of California and approved by the City Attorney. The Transportation Center Project is anticipated to be completed by January 1, 1992. The grant amount is \$160,000. Resolution adopting Grant Agreement amendment needed.)

ACTION: Res. 90-821 adopted approving grant agreement amendment. (P/W to handle)

CONSENT

14. Consider waiving 60-day notice to City prior to cable franchise rate increase.
(Memo with agenda. Resolution waiving 60-day notice needed.)

ACTION: Res. 90-822 adopted waiving notice. (Manager to handle)

CONSENT

15. Consider approving agreement with Theodore M. Cook for the lease of 500 Ninth Street, Suite H.
(Memo with agenda. This is a renewal of an existing lease for storage of museum property. Resolution approving agreement needed. Estimated cost: \$450 additional for the balance of this year. Funds are budgeted.)

ACTION: Res. 90-823 adopted approving agreement. (Attorney to handle)

CONSENT

16. Consider approving amendment to agreement with Hendley-Skytrek Fuel, Inc. (This agreement needs to be amended to reflect a change in the fuel flowage fee charged to the fuel supplier at the airport. Memo with agenda. Resolution approving amended agreement needed.)

ACTION: Res. 90-824 adopted approving amended agreement. (P/W to handle)

CONSENT

17. Consider agreement with County for collection of fees for special assessments. (Memo with agenda. Resolution approving and authorizing Acting City Manager to execute agreement needed.)

Dropped from agenda

18. Consider approving an agreement with Multi-Cultural Center for a grant of \$25,000 to provide continuation of a Job Readiness and Job Development Program, under the 1990-91 Community Development Block Grant (CDGB) Program. (Memo with agenda. Resolution approving agreement needed. Continued from the October 2, 1990, City Council meeting.)

ACTION: Res. 90-825 adopted (Dobbs/Irizarry, unan., Whiteside absent) approving agreement. (Planning to handle)

WRITTEN COMMUNICATIONS

19. Letter from Steve K. Johnson, Manager of Wal-Mart Discount Center, concerning Modesto's recycling ordinance.

Mr. Johnson was not present.

20. Letter from Daniel & Antoinette Toppero and Terry & Toni Bohme concerning a business use in a shopping center. (Continued from the October 2, 1990, City Council meeting.)

ACTION: By motion (Dobbs, Patterson, majority, Lang-no, Mayor Whiteside absent) request denied.

21. MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

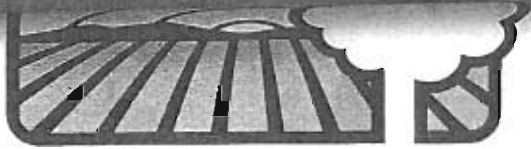
CLOSED SESSION

22. Closed session to discuss pending litigation, pursuant to Government Code Section 54956.9(c), and salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, pursuant to Government Code Section 54957.6.

ADJOURNMENT

The meeting at 5:37 p.m. to closed session.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 16, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Bud LaCore, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 12, 13, 14, 16, 17, 18,
19, 20, 21, 24, 25, 28, 29, 30,
31, 32, 33,

Dropped from agenda: 37

Added to consent: 16

ACTION: (Lang/Bird, unan.)

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

WPCC203

1

10-16-90

Item 27 was considered before Item 1.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Presentation by the Citizens for a Planned Future - A Committee to Support Measure F, concerning the Village I Plan.

Becky Ward, representing Citizens for a Planned Future, presented the program being given to community groups.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned, special and regular City Council meetings of October 9, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

4. Consider amendment to the redevelopment survey area to add new areas.
(Memo with agenda. Resolution amending Council Resolution 90-24 needed.)
Vice Mayor Bird excused due to a conflict of interest.

ACTION: Res. 90-826 adopted (Dobbs/Muratore, unan., Bird absent) amended the redevelopment survey area to include the recommended new areas.
(Manager to handle)

5. Consider adoption of policy/procedure for the evaluation and mitigation of public school capital facilities impacts from certain residential development
(Continuation of discussions from the July 3, 1990, City Council meeting regarding City Council's policy on this matter. Resolution adopting policy and procedure needed.)
Councilmember Dobbs excused due to a conflict of interest.

ACTION: By motion (Bird/Muratore, majority, Irizarry-no, Dobbs absent) this item was referred to the Public Projects Committee for further study.
(Planning to handle)

CONSENT

6. Consider amending the Modesto Municipal Code to change the utility billing schedule from bimonthly to monthly billing.
(Memo with agenda. Introduction of ordinance amending the Municipal Code needed.)

ACTION: By motion, Ord. No. 2734-C.S. introduced. (Clerk to handle)

CONSENT

7. Presentation of quarterly status report on City Council goals and objectives.
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of the report acknowledged.

HEARINGS

8. Hearing to consider the appeal of Darleen M. Lewis to a Board of Zoning Adjustment decision concerning an application for a variance for a reduced side-street side-yard setback to allow a fence on property located at 2410 College Avenue.
Councilmember Lang excused due to a conflict of interest.

ACTION: By motion (Whiteside/Muratore, unan., Lang absent) Mrs. Lewis was asked to look at some design changes and return to Council on November 20. (Planning to handle)

9. Hearing to consider an amendment to P-D(262) to allow conversion of a roller skating rink to offices, property located on the south side of Floyd Avenue east of Oakdale Road. (Greg Duffin)

ACTION: By motion (Muratore/Dobbs, unan.) Ord. No. 2735-C.S. introduced.
Res. 90-827 adopted (same vote) approving plan.
Res. 90-828 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

10. Hearing to consider the adoption of the Village One Specific Plan and Financing Plan.

ACTION: By motion (Dobbs/Muratore, unan.) the fire sprinkler requirement was deleted from the plan.
Res. 90--828A adopted (Lang/Dobbs, unan.) adopting the Village I Specific Plan and Financing Plan, committing 25% of the housing units to very low, low and moderate income levels, and referring the fire sprinkler matter to the Fire Master Plan study.

A ten minute recess was taken at 10:15 p.m.
Councilmember Irizarry excused at 10:15 p.m.

11. Hearing to consider annual fee revisions for Public Works and Transportation Department and the City Clerk Department.

- ACTION: Res. 90-829 adopted (Lang/Patterson, majority, Patterson-no, Irizarry absent) establishing a sewer lateral connection fee.
- Res. 90-830 adopted (same vote) fixing certain rates for supplying water and stand-by service to the County of Stanislaus.
- Res. 90-831 adopted (same vote) establishing sewer bond redemption charges and sewer subtrunk extension charges.
- Res. 90-832 adopted (same vote) establishing the amount of cash deposit to be furnished for each interior monument required in a subdivision.
- Res.90-833 adopted (same vote) establishing charges and water used during building construction.
- Res. 90-834 adopted (same vote) establishing conditions for payment in installments of sewer bond redemption charges/subtrunk extension charges for single-family residential dwellings, churches and other similar religious institutions.
- Res. 90-835 adopted (same vote) establishing a fee for preparation of an agreement to provide water and/or sewer to property located outside the City limits.
- Res. 90-836 adopted (same vote) establishing filing fees for subdivision and parcel maps.
- Res. 90-837 adopted (same vote) establishing fees and charges for copies of various maps and prints obtained from the City of Modesto.
- Res. 90-838 adopted (same vote) establishing investigation and permit fees relating to moving of buildings.
- Res. 90-839 adopted (same vote) establishing a sewer bond redemption charge and water connection charge inspection fees.
- Res. 90-840 adopted (same vote) establishing sign permit fees.
- Res. 90-841 adopted (same vote) establishing a fee for preparation of sewer line reimbursement agreements.
- Res. 90-842 adopted (same vote) establishing a building compliance inspection fee.
- Res. 90-843 adopted (same vote) adopting a schedule of fees in connection with encroachment permits/inspections.

Res. 90-844 adopted (same vote) establishing filing fees for special assessment district financing.

Res. 90-845 adopted (same vote) establishing filing fees for special assessment benefit districts for landscaping.

Res. 90-846 adopted (same vote) adopting a fee in connection with maintenance of rockwells.

Res. 90-847 adopted (same vote) allowing the sale of electronic data and establishing fee for sale of electronic data.

Res. 90-848 adopted (same vote) approving fee schedule for dumping of septic waste at the sewage treatment plant.

Res. 90-849 adopted (same vote) establishing fees and charges for documents and transcripts.

Res. 90-850 adopted (same vote) adopting a schedule of fees and charges for water service in the City of Modesto.

(P/W and Clerk to handle)

BIDS

CONSENT

12. Consider approving specifications and authorizing call for bids to be opened November 5, 1990, at 11:00 a.m. for furnishing one new loader/backhoe.

(Requested by the Transportation Division of the Public Works and Transportation Department, the loader/backhoe will be used by the Water Section to handle emergency and normal day-to-day service requests. This loader/backhoe will replace a 1978 John Deere loader/backhoe, Model 310A, which will be offered as a trade-in. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$44,400. Funds are budgeted.)

ACTION: Res. 90-851 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider rejecting all proposals received for the award of a bus bench franchise and authorize a call for new proposals which are to be opened October 22, 1990, at 10:00 a.m.

(Memo with agenda. Resolution rejecting all proposals and authorizing new call for proposals needed.)

ACTION: Res. 90-852 adopted rejecting bids. (Finance to handle)

CONSENT

14. Consider rejecting all proposals received for furnishing a carbon water adsorption system and authorize new bids to be opened October 29, 1990, at 10:00 a.m.
(Memo with agenda. Resolution rejecting all proposals and authorizing new call for bids needed.)

ACTION: Res. 90-853 adopted rejecting proposals. (Finance to handle)

15. Consider rejecting all bids for rockwell storm drain replacement 1990 project, declaring a state of urgency, and authorizing the City Manager to execute a negotiated agreement with Delta Excavating, Inc., to perform a reduced scope project.
(Memo with agenda. Resolution rejecting bids, declaring a state of urgency, and authorizing City Manager to execute agreement needed. Estimated cost: \$255,378.51 (contract - \$232,162.29; eng. & cont. - \$22,216.22) Funds are budgeted.)

ACTION: Res. 90-854 adopted (Patterson/Lang, unan., Irizarry absent) rejecting all bids. (P/W to handle)

NEW BUSINESS

CONSENT

16. Annual report to the City Council by the Affirmative Action Commission for October, 1989, through September, 1990.
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

17. Consider agreement with County for collection of fees for special assessments.
(Memo with agenda. Resolution approving and authorizing Acting City Manager to execute agreement needed.)

ACTION: Res. 90-855 adopted approving agreement. (Finance to handle)

CONSENT

18. Consider request for sewer service to property outside City limits at 1317 Garden Avenue, located on the north side of Garden between Sutter and Colorado. Owners: Carmen Hurtado and Candelaria Cabrera
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits but a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 90-856 adopted approving agreement. (P/W to handle)

CONSENT

19. Monthly Treasurer's report for September, 1990.
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

20. Consider approving the Modesto City-County Airport's preapplication for federal funds to complete an Airport Master Plan Environmental Impact Report and a Commercial Air Service Effect Initial Study.
(Memo with agenda. Resolution approving preapplication needed.
Estimated cost: City - \$6,930; FAA - \$62,370. Transfer of funds will be requested after the FAA has tentatively allocated the Airport Improvement Program funds.)

ACTION: Res. 90-857 adopted approving preapplication. (P/W to handle)

CONSENT

21. Consider approving the Modesto City-County Airport's preapplication for federal funds to complete a Federal Aviation Regulations (FAR) Part 150 Study and an Airport Approach Protection Study.
(Memo with agenda. Resolution approving preapplication needed.
Estimated cost: City - \$9,020; FAA - \$81,180. Transfer of funds will be requested after the FAA has tentatively allocated the Airport Improvement Program funds.)

ACTION: Res. 90-858 adopted approving preapplication. (P/W to handle)

22. Consider authorizing Acting City Manager to execute Memorandum of Understanding with Turlock Irrigation District for surface water plan and E.I.R.
(The City Council Water Committee recommends approving the MOU for Phase 3 of the surface water project with TID and eight water agencies south of the Tuolumne River. Memo with agenda. Resolution approving MOU needed.
Estimated cost: \$95,000. Funds are budgeted.)

ACTION: Res. 90-859 adopted (Patterson/Muratore, unan., Irizarry absent) approving Memorandum of Understanding. (P/W to handle)

23. Consider approving contract with Boyle Engineering Company to provide an engineering evaluation report for the acquisition of the Del Este Water Company and approving an appropriation transfer for \$180,000 from the Water Fund Reserve.
(Memo with agenda. Funds are available in the Water Fund Reserves to cover this contract. Resolution approving contract and resolution approving appropriation transfer needed.)

ACTION: Res. 90-860 adopted (Muratore/Lang, unan., Irizarry absent) approving contract.
Res. 90-861 adopted (same vote) approving appropriation transfer.
(P/W to handle)

CONSENT

24. Consider supplemental payment to ACCEL (Excess Liability Insurance Pool) for Plan Year #4 (1989-1990).
(Memo with agenda. Resolution approving supplemental payment to ACCEL needed. Estimated cost: \$100,627. Funds are budgeted.)

ACTION: Res. 90-862 adopted approving supplemental payment. (Atty to handle)

CONSENT

25. Consider recommending the designation of the Stanislaus Area Association of Governments (SAAG) as the agency responsible for the Congestion Management Program.
(Memo with agenda. AB471 and AB1791 require preparation of a Congestion Management Plan. Resolution recommending SAAG as responsible agency needed.)

ACTION: Res. 90-863 adopted designating SAAG as responsible agency. (P/W to handle)

26. Consider request for up to \$300,000 of CDBG funds for off-site improvements for a revitalized and expanded Modesto Center at the northwest corner of Paradise Road and Martin Luther King Drive.
(The project applicants seek CDBG funding of off-site improvements. They would like a Council response this month rather than in November. The Citizens Housing and Community Development Committee (CH&CDC) will be meeting on Friday, October 12, 1990, to make recommendations to the City Council on this request. Memo and CH&CDC agenda materials with agenda. CH&CDC recommendations will be provided via separate memo. Resolution committing CDBG funds for this project, and motion directing staff needed.)

ACTION: Res. 90-864 adopted (Lang/Bird, unan., Irizarry) committing funds. By motion (same vote) staff directed to proceed. (Planning to handle)

Item No. 27 was considered before Item No. 1

27. Consider 1990-91 supplemental requests for enterprise and other (non-general) funds.
(Memo with agenda. Resolution appropriating supplemental requests and adjusting the 1990-91 Annual Budget for enterprise and other funds needed.)

ACTION: By motion (Patterson/Muratore, unan.) this item was referred to the Council Budget Committee for study and recommendation to the City Council. (Finance to handle)

CONSENT

28. Consider request for refund of \$600.48 for overpayment of business license tax by Acosta & Sons.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-865 adopted approving refund. (Finance to handle)

CONSENT

29. Consider request for refund of \$1,387.65 for overpayment of business license tax penalties by Standiford Place.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-866 adopted approving refund. (Finance to handle)

CONSENT

30. Consider request for refund of \$1,453.69 for overpayment of business license tax by National Sanitary Supply.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-867 adopted approving refund. (Finance to handle)

CONSENT

31. Report from City Council Golf Advisory Committee.
(Memo with agenda. Motion acknowledging receipt of report and directing staff to meet with golf club presidents, and resolution amending Resolution No. 90-496, Section 2 (a), deleting the residency requirement to purchase monthly golf tickets needed.)

ACTION: By motion, receipt of report acknowledged.
Res. 90-868 adopted amending Res. No. 90-496.
(P/R to handle)

CONSENT

32. Consider approval of the final map of Christine Heights Unit No. 2 Subdivision of the City of Modesto and consider accepting the improvements. Subdivider: David A and Susan L. Schwartz
(All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Christine Heights Unit No. 2 is located on the south side of Houser Lane, east of Carpenter Road. It contains 1.613 acres. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 90-869 adopted approving final map. (Clerk to handle)

CONSENT

33. Consider request for sewer service to property outside City limits at 1602 Portland Avenue. Property owners: Jose A. and Elva A. Lemus
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 90-870 adopted approving agreement. (P/W to handle)

WRITTEN COMMUNICATIONS

34. Letter from James D. Mayol concerning amending the Modesto Municipal Code to allow the use of cold air inflatables for promotional purposes.

ACTION: By motion (Dobbs/Lang, unan., Irizarry absent) staff requested to look at a possible Code amendment. (Planning to handle)

35. Letter from Bill Reeves, Operating Engineers Local Union No. 3, on behalf of Douglas Samski and Linda Boston concerning their classifications and salaries.

Dropped from agenda at Mr. Reeves' request.

MISCELLANEOUS

Legislation

36. Presentation concerning November Ballot Proposition 126 - Alcoholic Beverages Taxes, and Proposition 134 - Alcohol Surtax.

ACTION: By motion (Patterson/Lang, unan., Irizarry absent) Proposition 134 was opposed and Proposition 126 was supported. (Manager to handle)

CONSENT

37. Staff recommends:

Support of the following November Ballot Propositions:

- a. Proposition 135 - Pesticide Regulation (CAREFUL)
- b. Proposition 145 - California Housing Bond Act of 1990
- c. Proposition 148 - State Water Bonds
- d. Proposition 151 - Child Care

Opposition to the following November Ballot Propositions:

- e. Proposition 128 - Environmental Protection Act of 1990
- f. Proposition 141 - Toxic Chemicals Discharges

Other:

- g. Repeal of SB 2577 (Maddy) - Local Government Financing (Memo with agenda. Motion accepting recommendation needed.)

Dropped from agenda.

MATTERS TOO LATE FOR THE AGENDA

38. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 11:00 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 23, 1990, AT 4:00 P.M.

NOTICE

THERE WILL BE NO MEETING OF THE CITY COUNCIL
ON TUESDAY, OCTOBER 23, 1990
DUE TO LACK OF A QUORUM.

THE NEXT CITY COUNCIL MEETING WILL BE HELD ON
TUESDAY, NOVEMBER 6, 1990,
AT 7:30 P.M.



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 7:00 a.m., October 22, 1990, in the Mayor's Suite, Anaheim Marriott Hotel, 700 West Convention Way, Anaheim, California, for a closed session.

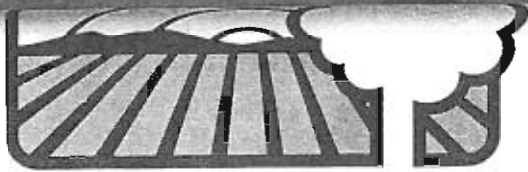
Present: Councilmembers Bird, Dobbs, Muratore, Patterson, Mayor Whiteside

Absent: Councilmembers Irizarry, Lang

The Council adjourned to closed session to consider the appointment, employment or evaluation of performance of certain public employees, pursuant to Section 54957 of the Government Code.

The meeting adjourned at 7:45 a.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR SPECIAL COUNCIL MEETING OF MONDAY, NOVEMBER 5, 1990, AT 8:15 A.M.

Roll Call - Present: Councilmembers Dobbs, Irizarry, Muratore, Patterson,
Acting Mayor Bird

Absent: Councilmember Lang, Mayor Whiteside

Information concerning items on this agenda is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall.

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ORAL COMMUNICATIONS

1. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

NEW BUSINESS

2. Consider adopting an ordinance amending Section 8-2.802 of the Modesto Municipal Code to re-impose the tax rate of twenty-seven and one-half cents (\$.275) for each five hundred dollars (\$500.00) or fractional part thereof on any transfer of real property where the value exceeds one hundred dollars (\$100.00).
(Memo with agenda. Adoption of ordinance needed.)

ACTION: By motion, (Dobbs/Muratore, unan., Lang and Whiteside absent)
Ordinance No. 2736-C.S. was adopted amending the Modesto Municipal Code.

3. MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

Meeting adjourned at 8:35 a.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 6, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Stephen Elliott, Prescott Evangelical Free Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 8, 9, 10, 11,
12, 13, 14, 15, 16, 17, 18, 19,
21, 22, 23

ACTION: (Lang/Irizarry, unan.)

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1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of October 16, 1990, and the special City Council meeting of October 22, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

CONSENT

4. Final adoption of:

- a. Ordinance No. 2734-C.S. amending the Modesto Municipal Code Section relating to monthly utility billing.
- b. Ordinance No. 2735-C.S. amending Ordinance No. 1939-C.S. concerning uses in P-D(262), property located on Floyd Avenue east of Coffee Road (Robert Erickson)

(Motion adopting needed.)

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

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for Scenic Bend lift station odor control.
(Memo with agenda. Suggested bid opening: December 6, 1990, at 11:00 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$44,760 (contract - \$37,300; eng. & cont. - \$7,460). Funds are budgeted.)

ACTION: Res. 90-871 adopted calling for bids. (P/W to handle)

CONSENT

6. Consider declaring Dow Hammond Trucks Co. sole bidder and authorize the purchase of a Police prisoner transport van for the total price of \$18,694.40.
(Memo with agenda. Resolution authorizing purchase needed.)

ACTION: Res. 90-872 adopted awarding bid. (Finance to handle)

CONSENT

7. Consider awarding contract for additional riprap repair to storage ponds to Cimarron Construction.
(Memo with agenda. Resolution approving award of contract needed.
Estimated cost: \$29,250 (contract - \$27,250; eng. & cont. - \$2,000).
Funds are budgeted.)

ACTION: Res. 90-873 adopted awarding contract. (P/W to handle)

NEW BUSINESS

CONSENT

8. Consider declaration of intention to issue bonds for Improvement District No. 29 for the purpose of providing for financing of certain public facilities, an agreement for legal services with Jones, Hall, Hill & White, an agreement for financial advisor services with Seidler-Fitzgerald Public Finance, and transfer of funds from Gas Tax Reserve.
(The Improvement District 29 assessment proceedings will provide for the City to recoup local expenditures on two projects which will be financed to a great extent by Federal grants. The projects include widening of Standiford, and the signalization of the Sisk/Rumble intersection.
Resolution declaring intention to issue bonds, two resolutions authorizing Acting City Manager to execute agreements, and resolution approving appropriation transfer needed. Estimated cost: \$107,500.)

ACTION: Res. 90-874 adopted declaring intent to issue bonds.
Res. 90-875 adopted approving agreement for legal services with Jones, Hall, Hill and White as bond counsel.
Res. 90-876 adopted approving agreement for financial advisor services with Seidler-Fitzgerald Public Finance.
Res. 90-877 adopted approving appropriation transfer.
(P/W to handle)

CONSENT

9. Consider approving lease agreement with Atmospheric's, Inc., for the Airport.
(Atmospheric's, Inc., needs to place some monitoring equipment on the Airport for a cloud seeding project they have been hired to do. Memo with agenda. Resolution approving lease agreement needed.)

ACTION: Res. 90-878 adopted approving lease agreement. (Attorney to handle)

CONSENT

10. Consider approving special public transit service, identical to that which was provided last year, to and from the free Thanksgiving Dinner at Modesto Centre Plaza.
(Memo with agenda. City transit buses would provide free transportation over three routes and Dial-a-Ride would provide free transportation for any individuals attending the dinner. Funds are budgeted. Motion approving special service needed. Estimated cost: \$500. Funds are budgeted.)

ACTION: By motion, special service approved. (P/W to handle)

CONSENT

11. Consider approving an amendment to the Joint Powers Agreement with Empire Union School District.
(The Joint Powers Agreement for the Empire west neighborhood needs to be amended to allow for additional land acquisition for park sites. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 90-879 adopted approving amendment to agreement.
(Attorney to handle)

CONSENT

12. Consider request for refund of \$2,464.83 for overpayment of business license tax by Air Conditioning Company.
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 90-880 adopted approving refund. (Finance to handle)

CONSENT

13. Consider approving agreement with William D. Lemmons, owner of 3015 Coffee Road.
(A septic tank was discovered in the public right of way during the Coffee Road project, and the owner needs to be compensated as a result. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$1,254.50. Funds are budgeted.)

ACTION: Res. 90-881 adopted approving agreement. (P/W to handle)

CONSENT

14. Consider acceptance of improvements in Mariposa Square Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Horn Construction
(All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Mariposa Square is located east and west of Mariposa Road between Yosemite Boulevard and Clogston Way. Resolution accepting improvements needed.)

ACTION: Res. 90-882 adopted accepting improvements as complete.
(Clerk to handle)

CONSENT

15. Consider approval of the final map of River Terrace Subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Owners: Nineveh Incorporated
(The subdivision agreement has been signed and all fees paid. River Terrace is located between Hatch Road and the Tuolumne River, east of Boise Avenue. It contains 30.5328 acres. Resolution approving final map needed.)

ACTION: Res. 90-883 adopted approving final map. (Clerk to handle)

CONSENT

16. Consider request for sewer service to property outside City limits at 649 Paradise Road, located on the west side of Paradise between Chicago and Florette. Owners: Wat Cambodian Buddhist Society, Inc.
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 90-884 adopted approving agreement. (P/W to handle)

CONSENT

17. Consider authorizing the Acting City Manager to sign an agreement with the State for \$57,130 in Public Resources Account grant funding for a Youth Services Coordinator and amending the budget to show revenue and appropriate funding.
(Memo with agenda. Resolution approving agreement and resolution amending the budget needed.)

ACTION: Res. 90-885 adopted approving agreement.
Res. 90-886 adopted amending budget. (P/W to handle)

CONSENT

18. Consider authorizing Acting City Manager to sign agreement with Modesto Irrigation District for Consent to Common Use.
(This agreement will allow the City to widen the existing bridge facility on Carpenter Road over MID Lateral No. 4. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-887 adopted approving agreement. (P/W to handle)

CONSENT

19. Consider excusing Mayor Whiteside for being absent from the October 9, 1990, City Council meeting due to her attendance of a U. S. Conference of Mayors meeting with Mayors in Poland; and excusing Councilmembers Bird, Dobbs, Muratore, Patterson and Mayor Whiteside for being absent from the October 23, 1990, City Council meeting due to their attendance at the League of California Cities Conference in Anaheim.
(Motion excusing absences needed.)

ACTION: By motion, absences excused. (Clerk to handle)

WRITTEN COMMUNICATIONS

20. Letter from Thomas E. Crowder, Hughson Paramedic Ambulance Co., concerning ambulance service in Modesto.

Referred to staff, by order of the Chair. (Police/Finance to handle)

CONSENT

21. Annual report from the Modesto Human Relations Commission, submitted by Barbariae Boyette, Chair.
(Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

22. Letter from Michael J. Royer resigning from the Culture Commission.
(Resolution accepting resignation with regret needed.)

ACTION: Res. 90-888 adopted accepting resignation. (Clerk to handle)

MISCELLANEOUS

Appointments

CONSENT

23. Consider appointments to the Modesto Youth Commission
(Memo with agenda. Resolution making appointments needed.)

ACTION: Res. 90-889 adopted appointing Annette Gammon, Karen Rai, Kevin Hearne, Treb Padula, Adam Rhynes and Amanda Walters to the Youth Commission.

MATTERS TOO LATE FOR THE AGENDA

24. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

Meeting adjourned at 7:47 p.m. to Tuesday, November 13, 1990, 2:00 p.m., in the Third Floor Conference Room, City Hall, 801 11th Street, Modesto, for a study session concerning Measure F on the November 6, 1990, ballot, sewer trunk extension to the Village I area.

ATTEST: *Norrine Coyle*
NORRINE COYLE City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned session at 2:00 p.m., November 13, 1990, in the Third Floor Conference Room, City Hall, Modesto, California, for a study session.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson, Mayor Whiteside

Councilmember Lang arrived at 2:28 p.m.

Absent: None

Resolution 90-890 was adopted (Dobbs/Bird, unan., Lang absent) thanking all who worked on the effort to pass Measure F concerning extension of the sewer trunk to the Village I area.

Charlie Woods, Planning & Community Development Department, reviewed the November 9, 1990, memo entitled "Post-Election Action on Village One by City Council" and answered questions concerning what needs to be done to start development of Village I.

By motion (Muratore/Lang, unan.), staff was directed to proceed with the actions recommended in the memo.

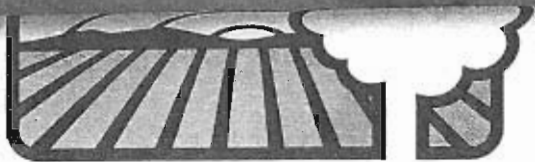
Meeting adjourned at 3:00 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk

WPCC211

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11-13-90



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 13, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Tom Mello, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 9, 10, 11, 12, 13, 16,
17, 18, 19, 20, 21, 22, 23, 24, 25

Dropped from agenda: 15

ACTION: (Lang/Irizarry, unan.)

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

- a. Acknowledge receipt of "The Brian Award" to the City of Modesto Housing Program Office for its contribution to fair and affordable housing, presented by Equality Council for Housing Opportunities of Stanislaus (ECHOS), and certificates of recognition from the Stanislaus County Board of Supervisors and California State Assembly.

Awards described and displayed to Julie Duchscherer of the Housing Program Office.

- b. Presentation of plaques to members of the Fire/Life Safety Master Plan Citizens' Advisory Committee.

Plaques were presented by Mayor Whiteside and Chief Sheldon.

- c. Introduce new Recycling Coordinator.

Dale Davis introduced Marsha Bradford.

MINUTES

CONSENT

2. Approval of the minutes of the special City Council meeting of November 5, 1990, and the regular City Council meeting of November 6, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

HEARINGS

4. Hearing to consider designation of Cressey Manor, 915 17th Street, built in 1917, as a City of Modesto Landmark Preservation Site.
(Continued from the October 9, 1990, City Council meeting.)

ACTION: Res. 90-891 adopted (Dobbs/Lang, majority, Irizarry and Whiteside-no) approving designation as Landmark Preservation Site, to be reconsidered in 10 years, and excluding the garage.
(P/R to handle)

5. Hearing to consider the appeal of Mid-Valley Engineering to an Environmental Assessment Committee decision regarding the requirement of an E.I.R. for a project located on the southeast corner of Briggsmore and Oakdale.

ACTION: Res. 90-892 adopted (Bird/Muratore, majority, Irizarry-no) granting the appeal and not requiring an E.I.R. (Planning to handle)

A ten minute recess was taken at 5:44 p.m.

6. Hearing to consider the appeal of the Del Monte Corporation to a Planning Commission decision regarding a vesting tentative subdivision map of Yosemite Meadows on the northwest corner of Yosemite Boulevard and Claus Road.
Councilmember Bird excused due to a conflict of interest.

ACTION: Res. 90-893 adopted (Irizarry/Muratore, unan., Bird absent) granting appeal. (Planning to handle)

7. Hearing to consider an amendment to Section 23-3-9 of the Zoning Map to rezone from R-1 and R-2 to P-0, property located on the north side of Scenic Drive and east of Oakdale Road. (Donald T. Kan)

ACTION: By motion (Irizarry/Dobbs, unan.) Ord. No. 2737-C.S. introduced.
Res. 90-894 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

8. Hearing to consider an amendment to Section 12-3-8 of the Zoning Map to rezone from R-1 to P-D(479), property located on the west side of Conant Avenue, south of the Hetch Hetchy right of way. (Stanislaus County Housing Authority)

ACTION: By motion (Muratore/Dobbs, unan.) Ord. No. 2738-C.S. introduced.
Res. 90-895 adopted (same vote) approving plan.
Res. 90-896 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

CONSENT

9. Hearing to consider the 1990 Annual Adjustment of Capital Facilities Fees, including the addition of a new fee category: Water Capital Facilities Fees.
(Staff recommends that this hearing be continued to November 27, 1990, at 4:00 p.m. Motion continuing hearing needed.)

By motion, hearing continued. (Clerk to handle)

BIDS

CONSENT

10. Consider approval of plans and specifications and call for bids for 18 inch waterline in Crows Landing Road between Hatch Road and Whitmore Avenue.

(Suggested bid opening: December 6, 1990, at 11:05 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Memo with agenda. Estimated cost: \$536,632 (contract - \$487,847; eng. & cont. - \$48,785) Funds are budgeted.)

ACTION: Res. 90-897 adopted calling for bids. (P/W to handle)

CONSENT

11. Consider approving specifications and authorizing call for bids to be opened December 10, 1990, at 11:00 a.m. for furnishing two new truck cabs and chassis with dump bodies.

(Requested by the Transportation Division of the Public Works and Transportation Department, one cab and chassis will be used to handle the Sewerage rockwell maintenance, and one will be used in the maintenance of water lines and to tow backhoe trailers. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$35,778 each. Funds are budgeted.)

ACTION: Res. 90-898 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider approving specifications and authorizing call for bids to be opened December 3, 1990, at 10:00 a.m. for furnishing annual pump repair for the City's ground water pumping stations.

(Requested by the Public Works and Transportation Department to control costs and insure the quality of needed pump repairs. This is an ongoing program that must occur when a pump fails. The cost is based on the number of pumps repairs. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$50,000 to \$120,000. Funds are budgeted. Additional funds will be transferred if required for continuous repairs.)

ACTION: Res. 90-899 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider authorizing the purchase of a 110 foot aerial apparatus (ladder truck) for the Fire Department from Simon LT, Inc., and authorizing the Acting City Manager to sign a lease-purchase agreement with Municipal Leasing Associates for \$495,000 for the financing of the vehicle.

(Memo with agenda. Resolution authorizing purchase of aerial apparatus and resolution approving lease purchase agreement needed. Estimated cost for 1990-91 fiscal year: \$140,000. Funds are budgeted for 1990-91.

ACTION: Res. 90-900 adopted awarding bid.
Res. 90-901 adopted approving lease purchase agreement with Municipal Leasing Associates. (Finance to handle)

NEW BUSINESS

14. Presentation of the final Fire/Life Safety Master Plan for the City of Modesto.
(Memo with agenda. The master plan addresses long-term planning recommended by Forward Modesto IV. Motion acknowledging receipt of report needed.)

ACTION: By motion (Dobbs/Lang, unan.) receipt of report acknowledged.

CONSENT

15. Consider additional consultant services by Recht, Hausrath and Associates on Capital Facilities Fees (CFF).
(Memo with agenda. An Airport CFF needs to be developed. An appropriation transfer for consultant services is needed. Motion authorizing development of airport Capital Facilities Fees and resolution approving appropriation transfer needed. Estimated cost: \$36,000.)

Dropped from agenda.

CONSENT

16. Consider setting public hearing on the "Omni 11" Zoning Code amendments. (The proposed code amendment consists of "house keeping" changes designed to reflect changes in the law, clarify certain provisions, and otherwise keep the Zoning ordinance current. Resolution setting hearing November 27, 1990, at 4:00 p.m. needed.)

ACTION: Res. 90-902 adopted setting hearing. (Clerk to handle)

CONSENT

17. Consider authorizing the use of \$36,100 Community Development Block Grant (CDBG) funds for handicapped barrier removal project requested by Parks and Recreation Department: front and rear doors, Senior Center - \$32,300; Pool Master wheelchairs for Susan Burris pool - \$2,500; replacement of public address system for Special Populations Program - \$400; and drinking fountain for the handicapped at Muni Golf Course - \$900.
(Memo with agenda. Resolution approving use of funds needed. Funds are budgeted.)

ACTION: Res. 90-903 adopted approving use of funds. (Planning to handle)

CONSENT

18. Consider adopting and authorizing the Policy and Procedures Manual for the City's Community Development Block Grant (CDBG) program, as recommended by Citizens Housing and Community Development Committee.
(Memo with agenda. Resolution adopting and authorizing updated Policy and Procedures Manual for the Housing Program Office needed.)

ACTION: Res. 90-904 adopted adopting updated Policy and Procedures Manual.
(Planning to handle)

CONSENT

19. Consider and agreement with "Yes You Can" Museum for a grant of \$15,000 from Community Development Block Grant (CDBG) funds to enlarge their programs and activities by expanding into more of their building. (Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 90-905 adopted approving agreement. (Planning to handle)

CONSENT

20. Consider renaming Seat #4 on the Rehabilitation Loan Pool Subcommittee (RLPS) to "Citizen-at-Large" by superseding Council Resolution No. 89-874. (Memo with agenda. Resolution changing Seat #4 needed.)

ACTION: Res. 90-907 adopted renaming seat on Rehab. Loan Pool Subcommittee. (Planning to handle)

CONSENT

21. Consider acceptance of improvements in Dry Creek Meadows No. 7 and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: The William Lyon Company (Dry Creek No. 7 is located south of Mechalys Way between North McClure Road and Creekwood Drive. All improvements have been completed to the satisfaction of the Public Works & Transportation Department and fees have been paid. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 90-908 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

22. Consider acceptance of improvements in Dry Creek Meadows No. 8 and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: The William Lyon Company (Dry Creek No. 8 is located east of North McClure Road between Mechalys Way and Yosemite Boulevard. All improvements have been completed to the satisfaction of the Public Works & Transportation Department and fees have been paid. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 90-909 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

23. Consider request for support of Human Relations Commission to sponsor 1993 California Association of Human Rights Organization (CAHRO) conference. (Memo and letter with agenda. Motion approving letter of support needed.)

ACTION: By motion, support approved. (Manager to handle)

WRITTEN COMMUNICATIONS

CONSENT

24. Letter from Daryl J. Weitzl, Stanislaus County Senior Planner, concerning the City-County Public Facilities Fee agreement as it applies to "mutually agreed upon" projects.
(Memo with agenda. Motion referring the matter to the Council Public Projects Committee needed.)

ACTION: By motion, the matter was referred to the Public Projects Committee.
(Planning to handle)

MISCELLANEOUS

Legislation

CONSENT

25. Staff recommends:

- a. Introduction of two State legislative bills concerning acquiring land outside the city limits by eminent domain for park purposes, and exempting sworn peace officers from serving as civil court jurors.
- b. Repeal of SB 2557 (Maddy) - Local Government Financing

(Memos with agenda. Motion accepting recommendation concerning introduction of bills needed, and resolution supporting repeal of SB 2557 needed.)

ACTION: By motion, recommendations accepted.
Res. 90-910 adopted supporting repeal of SB 2557.
(Manager to handle)

MATTERS TOO LATE FOR THE AGENDA

26. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

CLOSED SESSION

27. Closed session to consider the appointment, employment or evaluation of performance of certain public employees, pursuant to Section 54957 of the Government Code.

Not held

ADJOURNMENT

Meeting adjourned at 6:44 p.m. to Tuesday, November 20, 1990, at 5:30 p.m., City Hall Third Floor Conference Room, 801 11th Street, Modesto, for a study session concerning Police services, proposed agreement with Stanislaus County for library operation, and City boards and commissions.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned session at 5:30 p.m., November 20, 1990, in the Third Floor Conference Room, City Hall, Modesto, California, for a study session.

Present: Councilmembers Bird, Irizarry, Lang, Muratore, Patterson, Mayor Whiteside

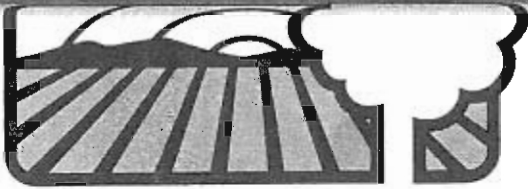
Absent: Councilmember Dobbs

Chief McKinsey reviewed the status of the Police Department's personnel, services, and its various programs.

Adrianna Garza spoke about the status of discussions with the County of Stanislaus staff members concerning the library.

The meeting adjourned at 7:21 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 20, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside
Councilmember Dobbs arrived at 9:12 p.m.

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 11, 12, 14, 15, 16

Removed from consent: 13

ACTION: (Lang/Patterson, unan., Dobbs absent)

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1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular City Council meeting of November 13 and the regular meeting of November 13, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

4. Further consideration of the appeal of Darleen M. Lewis to a Board of Zoning Adjustment decision regarding an application for a variance for a reduced side-street side-yard setback to allow an eight-foot-high fence on property located at 2410 College Avenue.
Councilmember Lang excused due to a conflict of interest.

ACTION: Res. 90-911 adopted (Muratore/Irizarry, unan., Dobbs and Lang absent) granting the appeal and approving variance.
(Planning to handle)

CONSENT

5. Final adoption of:

- a. Ord. No. 2737-C.S. amending Section Map 23-3-9 to rezone from R-1 and R-2 to P-0, property located on the north side of Scenic Drive, east of Oakdale Road. (Donald T. Kan)
- b. Ord. No. 2738-C.S. amending Section Map 12-3-8 to rezone from R-1 to P-D(479), property located on the west side of Conant Avenue south of Hetch Hetchy right of way. (Stanislaus County Housing Authority)

(Motion adopting needed.)

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

HEARINGS

6. Hearing to consider an amendment to Section 31-3-9 of the Zoning Map to rezone from R-3, to R-1, prezone to C-3, and prezone and rezone from R-3 and C-2 to P-D, property located at the northwest corner of Paradise Road and North Martin Luther King Drive. (Metropolitan Real Estate Group and Thrifty Corporation)

ACTION: By motion, (Patterson/Muratore, unan., Dobbs absent) Ord. 2739-C.S. introduced rezoning from R-3 and C-2, to P-D(478).
Res. 90-912 adopted (same vote) approving development plan.
Res. 90-913 adopted (same vote) certifying review of Environmental Assessment.

By motion (same vote) Ord. 2740-C.S. introduced pre zoning property to C-3 on Paradise Road, north of Chicago Avenue.
Res. 90-914 adopted (same vote) certifying review of Environmental Assessment.

By motion (same vote) Ord. 2741-C.S. introduced rezoning from R-3 to R-1.
Res. 90-915 adopted (same vote) certifying review of Environmental Assessment.

By motion (same vote) Ord. 2742-C.S. introduced pre zoning to P-PD(478).
Res. 90-916 adopted (same vote) approving development plan.
Res. 90-917 adopted (same vote) certifying review of Environmental Assessment.

By motion (same vote) Ord. 2743-C.S. introduced pre zoning property to R-3 north and west of Ellen Avenue.
Res. 90-918 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

7. Hearing to consider an amendment to Section 28-3-9 of the Zoning Map to rezone from R-3 to P-D(480), property located on the east corner of 16th and G Street. (George Simvoulakis)

ACTION: By motion (Lang/Muratore, unan., Dobbs absent) Ord. 2744-C.S. introduced.
Res. 90-919 adopted (same vote) approving development plan.
Res. 90-920 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

8. Hearing to consider amending Gilton Solid Waste Management, Inc.'s garbage license to include the requirement to provide curbside recycling services as recommended by the Citizens Advisory Committee on Recycling and the Council Solid Waste Committee and to also extend Gilton's license to the full term of eight calendar years, effective 1/1/91.

ACTION: By motion (Lang/Bird, unan., Dobbs absent) Ord. 2745-C.S. introduced. (P/W to handle)

9. Hearing to consider increase in garbage rates.

ACTION: Res. 90-921 adopted (Lang/Patterson, unan, Dobbs absent) approving rate increase.
By motion (Lang/Patterson, unan., Dobbs absent) Solid Waste Committee was directed to further review alternatives for setting rates and encouraging recycling. (Finance, P/W to handle)

Councilmember Dobbs arrived at 9:12 p.m.

10. Hearing to consider updating fees for applications to the Planning & Community Development Department.

ACTION: Res. 90-925 adopted (Muratore/Lang, unan.) establishing filing fees for zone boundary changes, use permits, variances, environmental review, subdivisions, and other applications.

Res. 90-924 adopted (same vote) establishing criteria for issuance of Industrial Revenue Bonds.

Res. 90-923 adopted (same vote) establishing criteria for issuance of Health Care Facility Bonds.

Res. 90-922 adopted (same vote) establishing filing fees for applications for abandonment or vacation of public rights-of-way or easements. (Planning to handle)

BIDS

CONSENT

11. Consider approving specifications and authorizing call for bids to be opened December 17, 1990, at 10:00 a.m. for furnishing a truck load machine and a pull-in machine.
(Requested by the Service Division of Public Works and Transportation Department, the truck load machine and pull-in machine will be used to clean all sizes of sewer lines in and around the City of Modesto. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$47,000. Funds are budgeted.)

ACTION: Res. 90-926 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider acceptance of Alta Pacific Constructors, Inc., contract for the storage pond wave protection project at the City's secondary waste treatment plant. Original contract: \$1,865,805
(All work on this project has been completed to the satisfaction of the Public Works and Transportation Department. It is, therefore, recommended that the contract be accepted as complete and the Notice of Completion filed. Resolution accepting the contract as complete needed. Final cost: \$1,864,305. Funds are budgeted.)

ACTION: Res. 90-927 adopted accepting as complete. (Clerk to handle)

NEW BUSINESS

13. Consider modifying salary range for Assistant City Attorney and Senior Deputy City Attorney II.
(Memo with agenda. Resolution amending Classification tables needed.)

ACTION: Res. 90-928 adopted (Dobbs/Muratore, majority, Bird-no) amending Classification tables. (Manager to handle)

CONSENT

14. Consider approving cooperative agreement with the County for overlaying Santa Cruz Avenue, Monterey Avenue to the M & E T Railroad.
(A portion of Santa Cruz Avenue receives a large amount of truck traffic and is in need of overlay. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$25,376 (const. & eng. \$24,168; contingency (5%) \$1,208) Funds are budgeted.)

ACTION: Res. 90-929 adopted approving agreement. (P/W to handle)

CONSENT

15. Consider authorizing City Manager to sign right of way certification for widening Standiford Avenue, Coffee Road reconstruction and traffic signal project at Claus and Scenic.
(The right of way certification assures the State that necessary right of way has been secured to construct the project. Memo with agenda. Resolution authorizing City Manager to sign right of way certifications needed.)

ACTION: Res. 90-930 adopted approving right of way certification. (P/W to handle)

MISCELLANEOUS

Appointments

CONSENT

16. Designation of Councilmember Dobbs to serve as Vice Mayor for the ensuing year, pursuant to Section 603 of the Charter of the City of Modesto.
(Resolution designating Stan Dobbs as Vice Mayor needed.)

ACTION: Res. 90-931 adopted designating Stan Dobbs. (Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

17. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

CLOSED SESSION

18. Closed session to discuss pending litigation pursuant to Government Code Section 54956.9(a)

ADJOURNMENT

The meeting adjourned at 9:24 p.m. to closed session.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 27, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Patterson,
Mayor Whiteside

Absent: Councilmember Muratore

Pledge of allegiance to the Flag

Invocation: Rev. David Taft, Trinity Nazarene Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 8, 11, 12, 14, 15,
16, 17, 19, 23, 24, 24A, 26

DROPPED FROM AGENDA: 8A

REMOVED FROM CONSENT: 13, 18, 20, 21

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

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1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Councilmember Irizarry introduced his mother who was present in the audience.

Mayor Whiteside invited the public to a Christmas tree lighting and celebration at Centre Plaza on November 28, 1990, at 5:00 p.m.

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular and regular City Council meetings of November 20, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

CONSENT

4. Consider certifying canvass of votes at the November 6, 1990, election.
(Report with agenda. Resolution certifying canvass of votes needed.)

ACTION: Res. 90-932 adopted certifying canvass of votes. (Clerk to handle)

HEARINGS

5. Hearing to review the draft Urban Water Management Plan.

ACTION: By motion (Irizarry/Patterson, unan., Muratore absent) the report was accepted. (Public Works & Trans. to handle)

6. Hearing to consider the 1990 Annual Adjustment of Capital Facilities Fees, including the addition of a new fee category: Water Capital Facilities Fees.

ACTION: A motion (Lang/Dobbs) directing staff to obtain appraisers opinions on land values and to provide further information concerning the fees was withdrawn.

By motion (Bird/Irizarry, unan., Muratore absent) action was delayed for six weeks so that staff can provide further information.
(Planning & Com. Dev. to handle)

By consensus of the Council, item 20 was taken up after item 6.

Mayor Whiteside excused at 6:10 p.m.

7. Hearing to consider amendments, additions, and deletions to Chapter 2 of Title X of the Modesto Municipal Code (Zoning Regulations - Omni 11).

ACTION: By motion (Lang/Irizarry, unan., Muratore and Whiteside absent), Ordinance No. 2746-C.S. was introduced amending Title X of the Modesto Municipal Code. (Clerk to handle)

BIDS

CONSENT

8. Consider authorizing the purchase of one loader/backhoe from Case Power & Equipment Company of Modesto for the total price of \$22,164.56. (Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 90-933 adopted authorizing purchase. (Finance to handle)

CONSENT

- 8A. Consider authorizing the purchase and installation of two 40,000 pound water adsorption systems from Calgon Carbon Corporation for the total price of \$358,162.50. (Memo with agenda. Resolution awarding the bid to Calgon Carbon Corporation effective November 29, 1990, provided that no formal written protests are received by the close of business on November 28, 1990 needed. Funds are budgeted.)

DROPPED FROM AGENDA.

NEW BUSINESS

9. Consider automatic mutual aid/letter of agreement for exchange of fire protection and rescue services between the City of Modesto and Industrial Fire Protection District. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-934 adopted (Patterson/Lang, unan., Muratore and Whiteside absent) approving agreement.

By motion (Patterson/Lang, unan., Muratore and Whiteside absent), staff requested to report on costs in one year.

(Fire to handle)

Mayor Whiteside returned at 6:32 p.m.

10. Consider staff report on the ash whitefly.
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Bird/Dobbs, unan., Muratore absent) receipt of report was acknowledged and staff was requested to prepare an information sheet for the public. (Parks & Recreation to handle)

CONSENT

11. Consider donation of antiquated 1955 fire engine to Yosemite Community College District for use in the Modesto Junior College Fire Science Program.
(Memo with agenda. Resolution approving transfer needed.)

ACTION: Res. 90-935 adopted approving transfer of fire truck. (Fire to handle)

CONSENT

12. Annual report for 1989-90 from the International Friendship Committee.
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

13. Consider authorizing staff to purchase protective vests for Police Department personnel.
(Memo with agenda. Motion authorizing staff to make a purchase needed.)

ACTION: By motion (Bird/Lang, unan., Muratore absent), purchase authorized. Res. 90-936 adopted (Bird/Lang, unan., Muratore absent) approving an appropriation transfer. (Finance/Police to handle)

CONSENT

14. Consider authorizing Acting City Manager to execute a Memorandum of Understanding with the Stanislaus Union School District for Modesto Police Department services in connection with the Comprehensive Alcohol Drug Prevention Education (CADPE) Program.
(Memo with agenda. Resolution approving Memo of Understanding needed.)

ACTION: Res. 90-937 adopted approving Memo of Understanding. (Police to handle)

CONSENT

15. Consider request for water service to property outside City limits at 1641 Shaddox Avenue, located on the north side of Shaddox Avenue between Carpenter Road and Watts Avenue. Owner: Helen M. Pettyjohn
(The property owner has signed an agreement to annex when requested to do so by City. The property is not contiguous to City but a line exists to serve it. No City funds are involved. Resolution approving agreement.

ACTION: Res. 90-938 adopted approving agreement.
(Public Works & Trans. to handle)

CONSENT

16. Consider request for sewer service to property outside City limits at 1213 Garden Avenue, located on the north side of Garden Avenue between Sutter Avenue and Colorado Avenue. Owner: Rueben H. & Ruth Lorraine Samuelson
(The property owner has signed an agreement to annex when requested to do so by City. The property is not contiguous to City but a line exists to serve it. No City funds are involved. Resolution approving agreement.

ACTION: Res. 90-939 adopted approving agreement.
(Public Works & Trans. to handle)

CONSENT

17. Consider acceptance of improvements in Eastgate Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Warner M. Soelling
(Eastgate Subdivision is located south of Briggsmore Avenue, west of Oakdale Road. All improvements have been completed to the satisfaction of the Public Works & Transportation Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 90-940 adopted accepting improvements. (Clerk to handle)

18. Consider additional consultant services by Recht, Hausrath and Associates on Capital Facilities Fees (CFF).
(Memo with agenda. An Airport CFF needs to be developed. An appropriation transfer for consultant services is needed. Resolution approving appropriation transfer needed. Estimated cost: \$36,000.)

ACTION: A motion (Irizarry/Lang, Bird, Dobbs, Patterson - no, Muratore absent) to approve the recommendation did not carry.

Res. 90-941 adopted (Irizarry/Patterson, unan., Muratore absent) approving an appropriation transfer of \$31,000.

By motion (Irizarry/Patterson, unan., Muratore absent) staff was directed to study the proposed airport fees further.

(Finance/Planning & Com Dev. to handle)

CONSENT

19. Consider authorizing the Acting City Manager to sign an application for \$140,625 in funding from the State Environmental Enhancement and Mitigation Program for the Standiford Avenue sound wall improvement project.
(Memo with agenda. Resolution approving application needed.)

ACTION: Res. 90-942 adopted approving application. (Parks & Rec. to handle)

This item was taken up after item 6.

20. Consider report on Neighborhood Renaissance in the 90's; a study for the next proposed mandatory target area, and direct staff to begin public discussion of the proposed target areas.
(Memo with agenda. Motion acknowledging receipt of report and directing staff to begin public discussion needed.)

Councilmember Irizarry was excused due to a conflict of interest.

Mayor Whiteside was excused at 6:10 p.m.

ACTION: By motion (Lang/Bird, unan., Irizarry, Muratore and Whiteside absent) receipt of report was acknowledged, and staff was directed to begin public discussion. (Planning & Com. Dev. to handle)

21. Consider agreement between the City of Modesto and Ron Smith to develop a Fire Department Mutual Aid System for the City of Modesto.
(Memo with agenda. Resolution approving agreement needed. Estimated cost not to exceed \$15,000. Funds are budgeted.)

ACTION: Res. 90-943 adopted (Patterson/Lang, majority, Dobbs - no, Muratore absent) approving agreement.

22. Consider 1990-91 fiscal year supplemental requests for Enterprise and other (Non-General) funds
(Memo with agenda. Resolution appropriating supplemental requests and adjusting 1990-91 Annual Budget for Enterprise and other funds.

ACTION: Res. 90-944 adopted (Patterson/Irizarry, majority, Dobbs - no, Muratore absent) approving supplemental requests. (Finance to handle)

CONSENT

23. Presentation of monthly Treasurer's report for October, 1990.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

24. Consider authorizing the filing of an application for the 1991 Fuel Efficient Traffic Signal Management (FETSIM) program (Western, Phase 2); consider authorizing staff to request proposals from traffic engineering firms for services relating to the 1991 FETSIM Project; and consider amending the budget for the estimated grant revenue of \$36,040. (Memo with agenda. The 1991 FETSIM project will retime and coordinate 17 intersections in the northwest area of Modesto. Filing a grant application, selecting a consultant and funding this new CIP project are the first steps in this process. Resolution authorizing FETSIM Program grant application, resolution authorizing staff to proceed with the request for proposals, and resolution amending the budget needed.

ACTION: Res. 90-945 adopted authorizing FETSIM Program grant application.
Res. 90-946 adopted authorizing staff to proceed with the request for proposals.
Res. 90-947 adopted amending the budget.
(Public Works & Trans. to handle)

CONSENT

- 24A. Consider the request of K093 to sponsor and hold a Christmas Parade and waiving the fee for set up of the review stand. (Memo with agenda. Resolution approving request and waiving fee needed.)

ACTION: Res. 90-948 adopted approving request and waiving fee.
(Parks & Rec. to handle)

WRITTEN COMMUNICATIONS

25. Letter from Richard G. McBride, Mayor of the City of Ceres, concerning development adjacent to the Modesto City-County Airport, and having a Ceres representative on the Airport Advisory Committee.

ACTION: Res. 90-949 adopted (Irizarry/Patterson, unan., Muratore absent) adding one position to the Airport Advisory Committee to be filled by someone selected by the Ceres City Council.
(Public Works & Trans. to handle)

CONSENT

26. Letter from George Surface resigning from the City of Modesto Citizens' Advisory Committee for Recycling. (Resolution accepting with regret needed.)

ACTION: Res. 90-950 adopted accepting resignation with regret.
(Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

27. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

CLOSED SESSION

28. Closed session concerning pending litigation as follows: Operating Engineers Local Union No. 3 v. City of Modesto, Stanislaus Superior Court No. 246125, No. 250491, and Arbitrated Contractual Grievance, pursuant to Government Code Section 54956.9(a).

Closed session concerning the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees, and on a mandatory subject within the scope of representation of its represented employees, pursuant to Government Code Section 54957.6.

Closed session concerning the evaluation of performance of public employees pursuant to Government Code Section 54957.

ADJOURNMENT

Meeting adjourned at 7:25 p.m. to closed sessions.

ATTEST: 
NORRINE COYLE, City Clerk



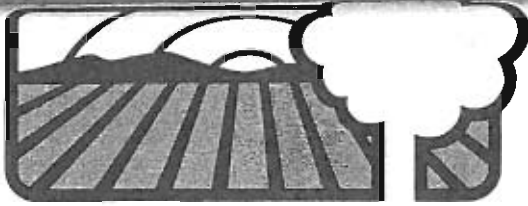
MODESTO CITY COUNCIL

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 4, 1990, AT 7:30 P.M.

NOTICE

THERE WILL BE NO MEETING OF THE CITY COUNCIL
ON TUESDAY, DECEMBER 4, 1990
DUE TO LACK OF A QUORUM.

THE NEXT CITY COUNCIL MEETING WILL BE HELD ON
TUESDAY, DECEMBER 11, 1990,
AT 4:00 P.M.



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in a special session at 6:00 p.m., December 10, 1990, at the McHenry Mansion, 906 15th Street, Modesto, California, for a meeting with the Stanislaus County Board of Supervisors.

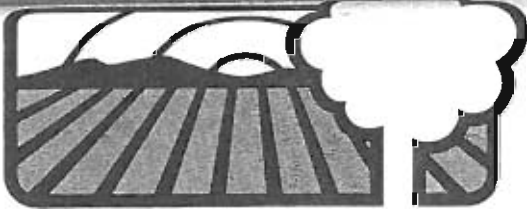
Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson,
Mayor Whiteside

Absent: None

There was a discussion of intergovernmental relations and various matters of joint City and County interest.

The meeting adjourned at 8:30 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 11, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Lt. Henry Graciani, Salvation Army

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 8, 9, 12, 13,
15, 16, 17, 19

Dropped from agenda: 14

ACTION: (Lang/Bird, unan.)

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of November 27, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

4. Creation and composition of a Village One Affordable Housing Committee. (At its November 13, 1990, meeting the City Council directed staff to report back with recommendations for the creation of a Village One Affordable Housing Committee. Memo with agenda. Resolution creating Village One Affordable Housing Committee and setting forth composition, charge and guidelines for the Committee needed.)

ACTION: Res. 90-951 adopted (Patterson/Muratore, unan.) approving recommendations, with additional groups to be included a resources, Councilmember Irizarry to be chairman or vice-chairman, and one additional Councilmember to be designated later.
(Plan. & C. D. to handle)

CONSENT

5. Consider adoption of the City of Modesto's 1990 Urban Water Management Plan.
(Memo with agenda. Resolution adopting 1990 Urban Water Management Plan needed.)

ACTION: By motion, plan adopted. (Public Works & Trans to handle)

CONSENT

6. Final adoption of the following:

- a. Ordinance No. 2739-C.S. amending the Zoning Map to rezone from R-3 and C-2 to P-D(478) property located on the northwest side of Paradise Road and west of North Martin Luther King Drive. (Metropolitan Real Estate Group and Thrifty Corporation)
- b. Ordinance No. 2740-C.S. amending the Zoning Map to prezone to C-3 property located on the northwest side of Paradise Road and north of Chicago Avenue. (Metropolitan Real Estate Group and Thrifty Corporation)
- c. Ordinance No. 2741-C.S. amending the Zoning Map to rezone from R-3 to R-1 property located on the south side of Briggs Avenue and west of North Martin Luther King Drive. (Metropolitan Real Estate Group and Thrifty Corporation)
- d. Ordinance No. 2742-C.S. amending the Zoning Map to prezone to P-D(478) property described as Lot 7 of the "Ellen Tract" on Ellen Avenue. (Metropolitan Real Estate Group and Thrifty Corporation)
- e. Ordinance No. 2743-C.S. amending the Zoning Map to prezone to R-3 property located north and west of Ellen Avenue. (Metropolitan Real Estate Group and Thrifty Corporation)
- f. Ordinance No. 2744-C.S. amending the Zoning Map to rezone from R-3 to P-D(480) property located on the east corner of 16th and G Streets. (George Simvoulakis)
- g. Ordinance No. 2745-C.S. granting a license to collect garbage, industrial garbage, and salvageable waste including recyclable materials to Gilton Solid Waste Management, Inc.
- h. Ord. No. 2746-C.S. amending Sections 10-2.504, 10-2.508, 10-2.603, 10-2.606, 10-2.703, 10-2.2109, and 10-2.2110 of Chapter 2 of Title X of the Modesto Municipal Code relating to Planning and Zoning. (Omni 11)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

7. Hearing to consider awarding a five-year franchise to Computer Pathways, Inc., including the option of two successive 2-year extensions, to place benches bearing printed matter thereon along the streets of the City of Modesto.

ACTION: By motion (Muratore/Lang, majority, Dobbs, Irizarry & Patterson - no), Ordinance No. 2747-C.S. introduced awarding franchise, with the rate to be reviewed at the end of five years.
Res. 90-951A adopted (Muratore/Lang, majority, Dobbs, Irizarry & Patterson-no) approving a lease agreement for the interior card rack space on the City's buses. (P/W, Clerk to handle)

BIDS

CONSENT

8. Consider approval of plans and specifications and call for bids for the Kansas and Lone Palm waterline extension.
(Suggested bid opening: January 3, 1991, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$53,148 (contract \$44,290; engineering & cont. \$8,858); funds are budgeted.)

ACTION: Res. 90-952 adopted approving plans and specifications and calling for bids. (Public Works & Trans. to handle)

CONSENT

9. Consider approving specifications and authorizing call for bids to be opened January 7, 1991, at 11:00 a.m. for furnishing Centre Plaza computer equipment.
(Requested by Parks and Recreation - Centre Plaza, this will replace existing equipment that has reached its maximum operating capacity. The new equipment will allow for necessary current and future facilities management system software upgrades. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$39,000; funds are budgeted.)

ACTION: Res. 90-953 adopted approving specifications and calling for bids. (Finance to handle)

NEW BUSINESS

10. Presentation of 1990 Urban Growth Policy Review
(The Public Projects Committee, at its November 20, 1990, meeting, recommended that the City Council accept the 1990 Urban Growth Policy Review as submitted. Motion acknowledging receipt of report needed.)

ACTION: By motion, (Lang/Muratore, unan.) receipt of report acknowledged.

11. Consider approving conceptual plans for the Transportation Center. (Staff will make a presentation to the City Council on the project. Memo with agenda. Staff is ready to proceed with final design of the project. Motion approving conceptual plans needed. Estimated cost: \$6,051,352 (including \$606,043 in recently approved State funds); funds are budgeted.)

ACTION: By motion (Muratore/Dobbs, unan.) conceptual plans approved.
(Public Works & Trans. to handle)

- 11A. Certification of year-round operation due to overcrowding - Marshall, Martone and Tuolumne Schools.

ACTION: By order of the Chair, staff directed send another copy of the letter concerning the Council's position concerning Martone School, and to continue working with the school staff on the problems.
(Clerk/Parks & Recreation to handle)

CONSENT

12. Consider excusing Councilmember Muratore from the November 27, 1990, City Council meeting due to his attendance at the CAL-COG meeting; and excusing Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson, and Mayor Whiteside from the December 4, 1990, Council meeting due to their attendance at the National League of Cities annual conference. (Motion excusing absences needed.)

ACTION: By motion, absences excused. (Clerk to handle)

CONSENT

13. City of Modesto's audited Comprehensive Annual Financial Report for the fiscal year ended June 30, 1990. (Memo with agenda. Copies of the report will be distributed at the meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

14. Consider appointment of Financial Advisor and Bond Counsel to represent the interest of the City for the financing of the Surface Water Treatment Plant, and consider authorizing appropriation transfer from the Contingency Reserve of the Water Fund to provide for the cost of these services. (Memo with agenda. Resolution approving agreement with Jones, Hall, Hill & as bond counsel; resolution approving agreement with Seidler-Fitzgerald Public Finance as financial advisor; and resolution approving appropriation transfer needed. Estimated cost: \$140,000.)

DROPPED FROM AGENDA.

CONSENT

15. Consider authorizing staff to participate in MID negotiations of design agreements with Black & Veatch for water treatment plant and with Black & Veatch for transmission pipelines, reservoirs and pumping stations. (Memo with agenda. interviews and evaluations of design engineers for the MID surface water project have been completed. The City Council Water Committee recommends staff be authorized to negotiate with Black & Veatch. Motion authorizing staff to enter negotiations needed. Estimated cost: \$1,400,000 (City's share). Funds are partially budgeted. Appropriation transfer to be requested when negotiations are completed and design fees are established.)

ACTION: By motion, staff authorized to enter into negotiations.
(Public Works & Trans. to handle)

CONSENT

16. Consider amending Position Classification Plan to create the classifications of Community Development Program Specialist and Police Administrative Assistant, to amend the class specifications for Senior Wastewater Treatment Plant Operator, and to abolish the classifications of Housing Program Specialist and Police Administrative Technician; and consider amending Class Range Tables to establish salaries. (Memo with agenda. Resolution amending Position Classification Plan and resolution amending Class Range Tables needed. Estimated cost: \$925; funds are budgeted.)

ACTION: Res. 90-954 adopted amending the Position Classification Plan.
Res. 90-955 adopted amending the Class Range Tables.
(Manager to handle)

CONSENT

17. Consider abandonment of the 10-foot public utility easement in Block 9023 of the City of Modesto. (Memo with agenda. Resolution vacating and abandoning the 10-foot public utility easement in Block 9023 needed.)

ACTION: Res. 90-956 adopted vacating and abandoning public utility easement.
(Public Works & Trans. to handle)

WRITTEN COMMUNICATIONS

18. Letter from James A. Ellis regarding the towing ordinance and towing fees.

ACTION: By motion (Lang/Dobbs, unan.), staff directed to study the problem.
(Police/Attorney to handle)

MISCELLANEOUS

Appointments

CONSENT

19. Consider appointments to the Coordinating Committee for Phase 3 of the Turlock Irrigation District surface water project.
(Memo with agenda. The City Council as approved the MOU for Phase 3, and a new Coordinating Committee has been established to monitor and approve Phase 3 work. Resolution appointing members needed.)

ACTION: Res. 90-957 adopted appointing members.

MATTERS TOO LATE FOR THE AGENDA

20. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

CLOSED SESSION

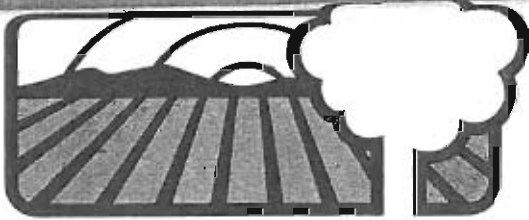
21. Closed session concerning pending litigation pursuant to Government Code Section 54956.9(a).

Not held.

ADJOURNMENT

Meeting adjourned at 6:25 p.m.

ATTEST: *Norrine Coyle*
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

City Hall
801 11th Street
Modesto, California

The Council of the City of Modesto met in an adjourned special session at 2:00 p.m., December 11, 1990, in the Third Floor Conference Room, City Hall, Modesto, California, for a study session.

Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore, Patterson, Mayor Whiteside

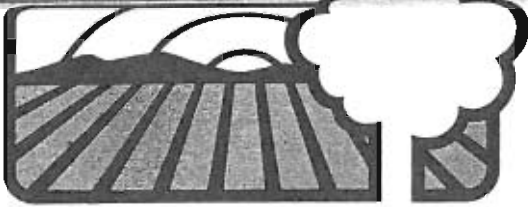
Councilmember Patterson arrived at 2:12 p.m.
Councilmember Dobbs arrived at 2:35 p.m.

Absent: None

The review of ways to improve recognition, monitoring, and training of advisory boards, commissions, and committees was completed, followed by a discussion concerning the All-America City Program.

The meeting adjourned at 3:30 p.m.

ATTEST: Judy C. Hall
JUDY C. HALL, Acting City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 18, 1990, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Lang, Muratore,
Patterson, Mayor Whiteside

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Gayden Frazier, Bible Literature International

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 9, 10, 11, 12, 15,
17, 18, 19, 20

Dropped from agenda: 16

Removed from consent: 13

ACTION: (Lang/Muratore, unan.)

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A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Students from Downey High School and Modesto High School to speak about the Hispanic Leadership Council outreach program.

Members of the Hispanic Leadership Council were introduced by Marvin Jacobs and Lew Garcia. Mauricio Madueno spoke about the group's goals and plans.

MINUTES

CONSENT

2. Approval of the minutes of the special meetings of December 10, and December 11, 1990, and the regular City Council meeting of December 11, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

Lulu Jenkins spoke about problems with Housing Program rehabilitation work on her house.

UNFINISHED BUSINESS

4. Consider 1990-91 fiscal year General Fund supplemental requests. (Memo with agenda. Resolution appropriating supplemental requests and adjusting 1990-91 Annual Budget for the General Fund needed.)

ACTION: Res. 90-958 adopted (Patterson/Muratore, unan.) approving Budget Committee's recommendations, except Police employees are to be hired as soon as possible. (Finance to handle)

5. Final adoption of Ordinance No. 2747-C.S., granting a bus bench franchise to Computer Pathways, Inc.
(Motion adopting needed.)

ACTION: By motion (Lang/Muratore, majority, Dobbs, Irizarry, Patterson-no) Ord. No. 2747-C.S. adopted. (Clerk/P.W. & T. to handle)

HEARINGS

6. Hearing to consider the Florence-Panama Reorganization to the City of Modesto, consisting of the annexation of the subject territory to the City of Modesto and the Modesto Municipal Sewer District No. 1, and detachment from the Burbank-Paradise Fire Protection District.

ACTION: Res. 90-959 adopted (Lang/Irizarry, unan.) annexing.
(Clerk to handle)

7. Hearing to consider the appeal of Thompson-Hysell Engineers, on behalf of Zagaris Enterprises, to a Planning Commission decision regarding a vesting tentative parcel map of property located at the south side of Scenic Drive at Coffee Road.

ACTION: Res. 90-960 adopted (Irizarry/Muratore, unan.) granting appeal.
(Planning to handle)

8. Hearing to consider amending Section 10-2.507 of the Modesto Municipal Code to change the Zoning Regulations to permit pygmy goats along with dogs, cats and other household pets.

ACTION: By motion (Patterson/Muratore, unan.) Ord. No. 2748-C.S. introduced.

BIDS

CONSENT

9. Consider approval of plans and specifications and call for bids for John Thurman Field Bleacher Renovation.
(Memo with agenda. Suggested bid opening, January 10, 1991 at 11:05 a.m. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$81,840 (Contr. \$74,400, Eng. \$7,440) Funds are budgeted.)

ACTION: Res. 90-961 adopted calling for bids. (P/W to handle)

CONSENT

10. Consider rejecting the bid received for the Scenic Bend Pump Station Odor Control project and approving plans and specifications and call for rebid.
(Memo with agenda. Suggested rebid opening, January 10, 1991, at 11:00 a.m. Resolution rejecting bid received, approving plans and specifications, and calling for rebid needed. Estimated Cost: \$44,760 (Contr. \$37,300, Eng. \$7,460) Funds are budgeted.)

ACTION: Res. 90-962 adopted rejecting bids & calling for rebid.
(P/W to handle)

CONSENT

11. Consider authorizing the award of annual pump repair agreements to Howk Systems and Central Pump, both of Modesto, for a price not to exceed \$120,000.
(Memo with agenda. Two resolutions awarding contracts needed. Funds are budgeted.)

ACTION: Res. 90-963 adopted awarding contract to Howk Systems.
Res. 90-964 adopted awarding contract to Central Pump.
(Finance to handle)

CONSENT

12. Consider waiving formal bid procedures and authorizing the purchase of six hand-held electronic meter reading systems from Syscon, Inc., for the total price of \$24,850.
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 90-965 adopted waiving formal bid procedures.
(Finance to handle)

13. Consider waiving formal bid procedures and authorizing the Acting City Manager to sign an agreement in conjunction with Stanislaus County for the purchase of personal computers, associated equipment, and services from Nynex Corporation.
(Memo with agenda. Resolution waiving formal bid procedures and approving agreement needed. (Five affirmative votes needed.))

ACTION: Res. 90-966 adopted (Patterson/Bird, unan.) waiving formal bid procedures and approving agreement.
(Finance to handle)

NEW BUSINESS

14. Consider request for City water and sanitary sewer service to property outside City limits at the northeast corner of Coffee Road and Mable Avenue, located on the east side of Coffee Road between Mable Avenue and Claribel Road. Owners: William T. Loretelli and Veronica A. Loretelli.
(Memo with agenda. Resolution authorizing City Manager to sign agreement needed.)

ACTION: Res. 90-967 adopted (Patterson/Dobbs, unan.) approving water service, but not sewer service, to the property.
(P/W to handle)

CONSENT

15. Consider request for water service to property outside City limits at 1424 Watts Avenue, located on the east side of Watts Avenue between Woodland Avenue and Shaddox Avenue. Owner: Gerald W. Borgman.
(The property owner has signed an agreement to annex when requested to do so by the City. The property is not contiguous to the City and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 90-968 adopted approving agreement.
(P/W to handle)

CONSENT

16. Consider appointment of Financial Advisor and Bond Counsel to represent the interest of the City for the financing of the Surface Water Treatment Plant and approval of appropriation transfer from the Contingency Reserve of the Water Fund to provide for the cost of these services.
(Memo with agenda. Resolution approving agreement with Jones, Hall, Hill & White as bond counsel; resolution approving agreement with Seidler-Fitzgerald Public Finance as financial advisor; and resolution approving appropriation transfer, and authorization for Acting City Manager to sign required agreements needed. Estimated Cost: \$140,000.)

Dropped from agenda.

CONSENT

17. Consider approval of the final map of Enterprise Business Park - Phase I Subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Municipal Code: Owners: Modesto Industrial Parks, Inc., a California corporation.
(The subdivision agreement has been signed and all fees paid. Enterprise Business Park - Phase I is located on the west side of Reliance Street, north of proposed Glenn Avenue. It contains 28.999 acres. Resolution approving final map needed.)

ACTION: Res. 90-969 adopted approving final map. (Clerk to handle)

CONSENT

18. Consider abandonment of a portion of the Scenic Bend right of way at Block 1505 of the City of Modesto.
(Memo with agenda. Resolution vacating and abandoning a portion of Scenic Bend at Block 1505 needed.)

ACTION: Res.90-970 adopted abandoning portion of Scenic Bend. (P/W to handle)

CONSENT

19. Consider declaring as surplus and authorize the sale of surplus, lost, stolen, unclaimed and/or seized property accumulated by the City of Modesto at public auctions to be conducted by Rodger Ernst and Associates on January 5, 1991, at 824 W. Kiernan Avenue, and January 7, 1991, at 501 N. Jefferson, City Corporation Yard.
(Memo with agenda. Resolution declaring property as surplus and authorizing Purchasing Officer to sell at public auctions needed.)

ACTION: Res. 90-971 adopted declaring property surplus & authorizing public auction. (Finance to handle)

CONSENT

20. Presentation of monthly Treasurer's report for November, 1990.
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

WRITTEN COMMUNICATIONS

21. Letter from Jack Odicho, dba: Papachino's regarding Building Inspectors and Capital Facilities Fees.

ACTION: By order of the Chair, staff directed to look at the fees categories to determine if there is a way of improving the breakdown, and look at ways of improving plan checking services.
(P/W and Planning to handle)

MATTERS TOO LATE FOR THE AGENDA

22. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

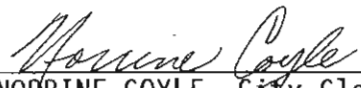
None

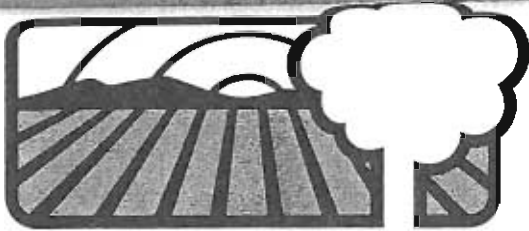
CLOSED SESSION

23. a. Closed session pursuant to Government Code Section 54956.9(c) regarding pending litigation.
- b. Closed session pursuant to Government Code Section 54957.6 regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits of its represented and unrepresented employees.

ADJOURNMENT

The meeting adjourned at 10:05 p.m. to closed session.

ATTEST: 
NORRINE COYLE, City Clerk



MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA

City Council Chambers, City Hall
801 11th Street
Modesto, California

AGENDA FOR COUNCIL MEETING OF WEDNESDAY, DECEMBER 26, 1990, AT 4:00 P.M.

Roll Call - Present: Councilmembers Bird, Dobbs, Irizarry, Muratore,
Patterson, Mayor Whiteside

Absent: Councilmember Lang

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 7, 8, 9, 10,
11, 12, 13

ACTION: (Irizarry/Bird, unan., Lang absent)

Information concerning the consent items listed above has been forwarded to each councilmember prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street, Modesto, and in the City Clerk's Office in City Hall. 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.

A copy of this agenda may be obtained in the City Clerk's Office.

Any and all of the following agenda items are subject to action being taken by the Modesto City Council.

Assistive listening devices are available upon request to the City Clerk.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Introduction of Soviet exchange students.
(Students are part of the second Modesto-Khmelnitsky youth exchange program sponsored by the International Friendship Committee.)

Soviet exchange students and chaperones were introduced by their Modesto counterparts.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of December 18, 1990.
(Motion approving needed.)

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

ORAL COMMUNICATIONS

3. (These matters may be presented only by interested persons in the audience. Under State law, matters presented under this item cannot be discussed nor acted upon by the City Council at this meeting.)

None

UNFINISHED BUSINESS

CONSENT

4. Final adoption of Ordinance No. 2748-C.S. amending the Modesto Municipal Code section concerning household pets.
(Motion adopting needed.)

ACTION: By motion, Ordinance No. 2748-C.S. was adopted. (Clerk to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for Wesson Ranch Park restroom construction.
(Suggested bid opening: January 17, 1991, at 11:05 a.m. Memo with agenda. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$97,414 (contract - \$86,977; eng. & cont. - 10,437) Funds are budgeted.)

ACTION: Res. 90-972 adopted approving plans and specifications and calling for bids. (Public Works & Trans. to handle)

CONSENT

6. Consider award of contract for the 18 inch waterline extension in Crowslanding Road between Hatch Road and Whitmore Avenue to Gentz Construction Co.
(Memo with agenda. Resolution awarding contract needed. Estimated cost: \$373,544.50 (contract - \$339,586.50; eng. & cont. - \$33,958) Funds are budgeted.)

ACTION: Res. 90-973 adopted awarding contract.
(Public Works & Trans. to handle)

CONSENT

7. Consider acceptance of Bowden Electric's contract for the McHenry Mansion electrical work. Original contract: \$102,100
(All work on this project has been completed to the satisfaction of the Public Works and Transportation 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: \$103,595. Funds are budgeted.)

ACTION: Res. 90-974 adopted accepting work as complete. (Clerk to handle)

NEW BUSINESS

- 7A. Update on international festival.

Mayor Whiteside discussed plans for an international festival planned for October 5 and 6, 1991.

CONSENT

8. Consider sending letter to Stanislaus County Board of Supervisors requesting that the City of Modesto be specifically represented on the Stanislaus County Water Coordination Agency.
(Memo with agenda. The Agency will coordinate policy and planning to meet present and future water needs of the County. Motion accepting recommendation of Water Committee needed.)

ACTION: By motion, recommendation accepted.
(Public Works & Trans. to handle)

CONSENT

9. Consider acceptance of improvements in Orange Park Estates Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Rule Enterprises (Orange Park Estates Subdivision is located on the north side of East Orangeburg Avenue west of Entrada Way. All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Resolution accepting improvements needed.)

WPCC222

3

12-26-90

ACTION: Res. 90-975 adopted accepting improvements. (Clerk to handle)

CONSENT

10. Consider approval of the final map of California Glenn Phase 1 Subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Owners: Kaufman and Broad
(The Subdivision Agreement has been signed and all fees paid. California Glenn Phase I is located south of West Hatch Road, west of Ustick Avenue. It contains 11.342 acres. Resolution approving final map needed.)

ACTION: Res. 90-976 adopted approving final map. (Clerk to handle)

CONSENT

11. Consider request for City sanitary sewer service to property outside City limits at 1420 Pelton Avenue, located on the south side of Pelton Avenue between Sutter Avenue and Colorado Avenue. Owner: Darrell L. Duarte
(The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 90-977 adopted approving request for sewer service.
(Public Works & Trans. to handle)

CONSENT

12. Consider authorizing City Manager to sign Encroachment Permit agreement for 18 inch waterline in Crowslanding Road between Hatch Road and Whitmore Avenue.
(Stanislaus County has requested the execution of this agreement before an encroachment permit will be issued in conjunction with the project to install an 18 inch waterline in Crowslanding Road. This project is a portion of a project to develop a connection between the City water systems north and south of the Tuolumne River. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 90-978 adopted approving agreement.
(Public Works & Trans. to handle)

WRITTEN COMMUNICATIONS

CONSENT

13. Request by Dave Crofts to continue a hearing scheduled for January 2, 1991, on an appeal concerning creation of two flag lots and application for a tentative parcel map on property at 314 East Fairmont Avenue. (Motion continuing hearing to January 15, 1991, at 7:30 p.m. needed.)

ACTION: By motion, hearing continued to January 15, 1991, at 7:30 p.m. (Clerk to handle)

14.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

Meeting adjourned at 4:58 p.m. to Wednesday, January 2, 1991, at 5:00 p.m. in the City Hall third floor conference room for a closed session to consider the appointment, employment nor evaluation of performance of certain public employees, pursuant to Section 54957 of the Government Code.

ATTEST: 
NORRINE COYLE, City Clerk