

# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

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

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 3, 1989, AT 4:00 P.M.

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

Absent: Councilmember Sutton

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 9, 10, 13

Removed from consent: 5, 11

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 Unless some member of the audience or councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council.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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular December 27, 1988, and the amended minutes of the regular December 20, 1988, City Council meetings.  
(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 Slater, K.T.R.B. Parks & Recreation Department, told the Council of a "Name the Crane" contest in which the name of "Ichabod" was selected and that an appropriate plaque will be placed on the crane.

UNFINISHED BUSINESS

5. Consider amendment to the Modesto Municipal Code regarding the collection of garden refuse.  
(Change of the current code section is necessary to reflect the changes in definition of garden refuse and method of collection. Memo with agenda. Motion introducing ordinance needed.)

ACTION: Ord. No. 2631-C.S. introduced (Patterson/Muratore, majority, McGrath and Whiteside-no, Sutton absent) (Clerk to handle)

CONSENT

6. Final adoption of:
  - a. Ord. No. 2629-C.S. amending the Municipal Code relating to traffic impact and mitigation.
  - b. Ord. No. 2630-C.S. amending the Municipal Code relating to the Public Works and Transportation Department.

(Motion adopting needed.)

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

BIDS

CONSENT

7. Consider authorizing the purchase of one mini van from Heritage Ford for the total price of \$14,133.  
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 89-1 adopted authorizing purchase. (Finance to handle)

NEW BUSINESS

8. Consider City of Modesto Multi-Hazard Function Plan.  
(Memo with agenda. Resolution approving plan needed.)

ACTION: Res. 89-2 adopted (McGrath/Muratore, unan., Sutton absent) approving plan. (Fire to handle)

CONSENT

9. Consider naming the new T-Hangar access road at the Modesto City-County Airport Sorensen Way.  
(Memo with agenda. Resolution approving the naming of the access road and authorizing staff to install the necessary signs.)

ACTION: Res. 89-3 adopted approving access road. (P/W and Transporta )

CONSENT

10. Consider authorizing City Manager to sign Utilities Agreement 10Ut1968 covering the adjustment of utility covers on Highway 108 between Roseburg and Tokay.  
(City will reimburse State the actual cost of adjustments of 20 manhole covers and 33 utility covers upon completion of the work by State contractor. Resolution approving agreement needed. Estimated cost: \$14,600. Funds are budgeted.)

ACTION: Res. 89-4 adopted approving agreement. (P/W and Transport to handle)

11. Set hearing to consider approval of Report by Superintendent of Streets on the costs of Project No. 14, resurfacing the following alleys:

Block 12952, Sheffield Lane-Windsor Lane / Sunrise Avenue-Rumble Road  
Block 808, Princeton Ave.-Trinity Ave. / Notre Dame-College Ave.  
Block 809, Princeton Ave.-Trinity Ave. / Notre Dame-Tully Road  
Block 934, Del Monte Ave.-Del Mar Ave. / Kearney Ave.-Del Rey Ave.  
Block 2028, Encina Ave.-Roble Ave. / Wilson Ave.-Santa Ana Ave.  
Block 1006, Morris Ave. / Grantland Court  
Block 6829, Northgate Dr.-Fleetwood Dr. / Dorrington Ct.-Ridgewood Ct.  
Block 210, Lane St.-Walden St. / Burney St.-James St.  
Block 549, Magnolia Ave.-Elmwood Ave. / Needham St.-Alice St.  
Block 816, Columbia Way-Mills Ave. / Carla Lane-Melinda Lane  
Block 2282, Colfax Avenue-Cloverdale Ave. - Roble Ave.-Haddon Ave.

Block 6020, Maplewood Dr.-Cherrywood Dr. / Westland Dr.-Del Vale Ave.  
Block 6041, Orangeburg Avenue.-Oakwood Dr. / Del Vale Ave.-Kearney Ave.  
Block 6629, Theo Ave-Kingsbury Ave. / Hemminger Way-Uhlig Ave.  
Block 6824, Northgate Dr.-Northwood Dr. / Kirwood Ave.-Sherwood Ave.  
Block 6922, Floyd Avenue-Bruce Avenue / Jasmin Avenue-Dana Lane  
Block 6140, Concord Avenue-Albany Avenue / Woodman Way-Granger Avenue  
Block 466, College Avenue-Myrtle Avenue / Morris Avenue-Coldwell Avenue  
Block 810, Tully Road-Notre Dame Ave. / Princeton Ave.-Fordham Avenue  
Block 2263, Miller Avenue-Glendale Avenue / Parry Avenue-El Vista Avenue  
Block 6622, Schulenburg Avenue-Theo Avenue / Hemminger Way-Uhlig Avenue

(The costs include all aspects of resurfacing the alleys from grubbing to raising water valve boxes. Resolution setting hearing on February 14, 1989, at 7:30 p.m. needed.)

Councilmember Muratore excused due to a conflict of interest.

ACTION: Res. 89-5 adopted (McGrath/Irizarry, unan., Muratore and Sutton absent) setting hearing. (Clerk to handle)

12. Consider proposed grant program for public access cable programming. (Memo with agenda. Resolution approving program needed. Estimated cost: \$10,000, to be transferred from the Contingency Reserve with the mid-year budget adjustment.)

ACTION: Res. 89-6 adopted (McGrath/Irizarry, unan., Sutton absent) approving program. (Manager to handle)

#### CONSENT

13. Consider request for refund of \$684.83 for overpayment of Business License Tax by W. H. Breashers. (Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 89-7 adopted approving refund. (Finance to handle)

#### MISCELLANEOUS

14. Consider appointments to the following:

Airport Advisory Committee

ACTION: Res. 89-8 adopted (Muratore/Lang, unan., Sutton absent) reappointing Jim Sorensen.

Board of Building Appeals

ACTION: Res. 89-9 adopted (Muratore/Lang, unan., Sutton absent) reappointing Robert DeGrasse and Sherre Wong.

Board of Zoning Adjustment

ACTION: Res. 89-10 adopted (Muratore/Lang, unan., Sutton absent)  
reappointing Raymond Feller.

Culture Commission

ACTION: Res. 89-11 adopted (Muratore/Lang, unan., Sutton absent)  
reappointing Roger Schrimp.

D. I. D. Advisory Board

ACTION: Res. 89-12 adopted (Muratore/Lang, unan., Sutton absent)  
reappointing Dennis Wilson.  
Res. 89-13 adopted (McGrath, Irizarry, unan., Sutton absent)  
appointing Norma Reed.

Human Relations Commission

ACTION: Res. 89-14 adopted (Muratore/Lang, unan., Sutton absent)  
reappointing Jerry Matsunaga.

International Friendship Committee

ACTION: Res. 89-15 adopted (Muratore/Lang, unan., Sutton absent)  
reappointing Kamruddin Shams.

Local Cable Programming Committee

ACTION: Res. 89-16 adopted (Muratore/Lang, unan., Sutton absent)  
reappointing Harry Bakker.

Planning Commission

ACTION: Res. 89-17 adopted (Muratore/Lang, unan., Sutton absent)  
reappointing Jan Smith.

Citizens Housing & Community Development Committee, Seat #10

ACTION: Res. 89-18 adopted (Muratore/Lang, unan., Sutton absent)  
reappointing William Covey.

(Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

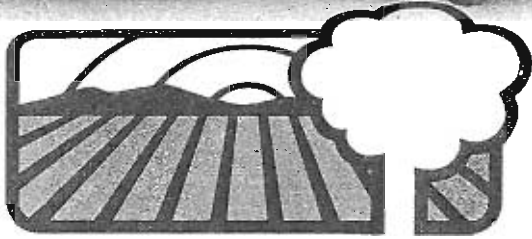
15. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 4:25 p.m. to closed session to discuss 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, JANUARY 10, 1989, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 10, 11, 15,  
16, 17, 18, 19, 20, 21, 22, 23, 25,  
27, 28

Removed from consent: 14

ACTION: (Lang/McGrath, 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 of January 3, 1989.  
(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 Belasco spoke about the Pickle Family Circus to be held at Modesto Centre Plaza on January 15, to benefit the Sierra Vista Children's Center.

UNFINISHED BUSINESS

4. Final adoption of Ordinance No. 2631-C.S. amending the Modesto Municipal Code relating to pruned refuse.  
(Motion adopting needed.)

ACTION: By motion (Irizarry/Lang, majority, McGrath-no) Ord. No. 2631-C.S. adopted. (Clerk to handle)

HEARINGS

5. Hearing to consider the appeal of Paynter-Willsey Properties to a Planning Commission decision regarding a tentative parcel map, property located on the southeast corner of McHenry Avenue and Sylvan Avenue.

ACTION: Res. 89-19 adopted (Lang/McGrath, majority, Muratore-no) denying the appeal and upholding the Planning Commission decision.  
(Planning to handle)

BIDS

CONSENT

6. Consider award of contract for the repair and recoating of Digester No. 1 at the Water Quality Control Plant to Sancon Engineering, Inc. (Bids were opened November 29, 1988. It is recommended that the contract be awarded to the third low bidder, Sancon Engineering, Inc., whose bid is 2.78% below the engineer's estimate. Memo and bid tabulation with agenda. Resolution awarding contract to Sancon Engineering, Inc. needed. Estimated cost: \$315,924.90. Funds are budgeted.)

ACTION: Res. 89-20 adopted awarding contract. (P/W & T to handle)

CONSENT

7. Consider authorizing the purchase of two baseball diamond dressers from H. V. Carter Co. for the total price of \$15,519. (Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 89-21 adopted awarding bid. (Finance to handle)

CONSENT

8. Consider authorizing the purchase of one microfilm processor from Wytac Information Systems for the total price of \$6,294. (Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 89-22 adopted awarding bid. (Finance to handle)

CONSENT

9. Consider waiving formal bid procedures and authorize the purchase of computer equipment from Apple Computer, Inc. for the total price of \$25,525. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-23 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

10. Consider waiving formal bid procedures and authorize the purchase of one sedan through the State of California Cooperative Purchasing Program for the total price of \$15,882. (Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-24 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

11. Consider waiving formal bid procedures and authorize the purchase of six police patrol cars through the State of California Cooperative Purchasing Program at a cost of \$57,500, and authorize equipping said vehicles for a cost of \$65,274 (total cost of \$132,774), and amending the budget for 1988-89 to finance the vehicles.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase and equipment (five affirmative votes needed), and resolution amending the 1988-89 budget to provide financing needed.)

ACTION: Res. 89-25 adopted waiving formal bid procedures.  
Res. 89-25A adopted amending 1988-89 budget. (finance to handle)

NEW BUSINESS

12. Consider Urban Growth Policy recommendations from the Public Projects Committee.  
(The Public Projects Committee has met twice on the 1988 Urban Growth Policy review and has several recommendations to the City Council regarding urban growth. Memo with agenda. Motion approving Public Projects Committee recommendations needed.)

ACTION: Res. 89-42 adopted (McGrath/Lang, majority, Irizarry, Muratore and Whiteside-no) indicating Measure A does not apply to the request for sewer service for the Claratina Area and directing staff to begin to process the annexation request on that basis provided that the property owners initiating the request for sewer service and annexation execute an agreement to indemnify the City from any and all liability that may result from this decision.

By motion (Sutton/Patterson, unan.) staff directed to proceed with the recommendation regarding the West Maze Neighborhood.

By motion (Patterson/McGrath, unan.) staff directed to proceed as recommended with items 3 and 4. (Planning to handle)

13. Determination of composition, representation, chairperson, and selection process for the Urban Growth Committee.  
(The Urban Growth Committee will work with the California Environmental Trust on a review of the City's Urban Growth Policy during February through May.  
(Motion directing staff needed.)

ACTION: By motion (McGrath/Muratore, unan.) staff directed to proceed with a group of 7-12 members, including the Hispanic Chamber of Commerce, with the Core group to consist of the B.I.A., Modesto Chamber of Commerce, Ecology Action and G.O.A.L., group to consist of designated representatives, committee to select the Chairperson, and with the private sector to select its representatives.  
(Planning to handle)

14. Consider approval of an agreement with Modesto City Schools for construction of a caretaker unit for the McClure House and approval for Redevelopment Agency to construct a duplex on City property at the northwest corner of Brighton and Locke.  
(Memo with agenda. Resolution approving agreement, resolution waiving building permit fees, resolution approving infrastructure fees, and resolution amending budget needed. Estimated cost: \$43,000. Funds are budgeted.)

ACTION: Res. 89-26 adopted (Patterson/Irizarry, unan.) approving agreement with Modesto City Schools.  
Res. 89-27 adopted (same vote) waiving building permit and infrastructure fees relating to construction of caretaker house adjacent to McClure House in Dry Creek Park.  
Res. 89-28 adopted (same vote) waiving building permit and infrastructure fees relating to agreement between the Redevelopment Agency and the Modesto City School District for construction of a duplex at Brighton and Locke Roads.  
Res. 89-29 adopted (same vote) amending budget. (Manager to handle)

CONSENT

15. Consider request for water service to property outside City limits at 205 Crater Avenue, located on the north side of Crater Avenue between Cascade Avenue and Crows Landing Road. Owners: Charles B. and Charlene M. Smith.  
(The property owners have signed an agreement to annex when requested to do so by the City. The property is not contiguous to the City, but a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 89-30 adopted approving agreement. (P/W and T to handle)

CONSENT

16. Consider request for water service to property outside City limits at 204 Glacier Avenue, located on the south side of Glacier Avenue between Crystal Avenue and Cascade Avenue. Owners: Dave R. and Pamela A. Spears.  
(The property owners have signed an agreement to annex when requested to do so by the City. The property is not contiguous to the City, but a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 89-31 adopted approving agreement. (P/W and T to handle)

CONSENT

17. Consider request for water service to property outside City limits at 1709 Shaddox Avenue, located on the south side of Shaddox Avenue between Watts Avenue and Seneca Place. Owners: James W. and Donna J. Thayer.  
(The property owners have signed an agreement to annex when requested to do so by the City. The property is not contiguous to the City, but a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 89-32 adopted approving agreement. (P/W and T to handle)

CONSENT

18. Consider request for water service to property outside City limits at 1713 Shaddox Avenue, located on the south side of Shaddox Avenue between Watts Avenue and Seneca Place. Owners: David T. and Julie Lawrence. (The property owners have signed an agreement to annex when requested to do so by the City. The property is not contiguous to the City, but a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 89-33 adopted approving agreement. (P/W and T to handle)

CONSENT

19. Consider setting a public hearing to consider amendments, additions and deletions to the Zoning Regulations (Omni XI). (On January 3, 1989, the Planning Commission adopted Resolution No. 89-2 recommending to the City Council Zoning Code Text amendments, additions, and deletions (Omni XI). Resolution setting hearing January 24, 1989, at 7:30 p.m. needed.)

ACTION: Res. 89-34 adopted setting hearing. (Clerk to handle)

CONSENT

20. Consider approval of a Grant Amendment from the State Water Resources Control Board to decrease our Step 1 Grant on our Wastewater Treatment Plant Expansion Project. (Grant Amendment is based on estimated final cost of Step 1 work. Memo with agenda. Resolution authorizing City Manager to execute the State Grant Amendment. Net savings to City: \$1,563.)

ACTION: Res. 89-35 adopted approving grant amendment. (P/W and T to handle)

CONSENT

21. Consider authorizing the City Manager to sign an agreement with Bench Craft Company for the provision of tee markers at Dryden Golf Course. (This agreement would permit Bench Craft Company to design and construct tee markers for Dryden Golf Course. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-36 adopted approving agreement. (P/R to handle)

CONSENT

22. Consider approval of the LAFCO Questionnaire indicating no opposition to the Kansas/Carpenter Reorganization.  
(Proponent proposes annexation of 0.46 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 at the southwest corner of Kansas Avenue and Carpenter Road. Memo, map and LAFCO questionnaire with agenda. Resolution supporting reorganization needed.)

ACTION: Res. 89-37 adopted supporting reorganization. (Planning to handle)

CONSENT

23. Consider leasing Roselle Neighborhood Park site to Gus J. Papatone.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-38 adopted approving agreement. (Atty to handle)

24. Consider supporting Gilton Solid Waste Management, Inc.'s application to the California Waste Management Board for the construction of an East Side Resource Recovery/Transfer station.  
(Memo with agenda. Resolution supporting application needed.)

ACTION: Res. 89-39 adopted (McGrath/Sutton, unan.) supporting application.  
(P/W and T to handle)

CONSENT

25. Consider authorizing the hiring of four sworn Police Officers to form a new patrol shift from 11:00 a.m. to 7:00 p.m. to assist in handling the heaviest demand period (one Sergeant and three Officers) and amending the Annual Budget for the 1988-89 fiscal year to provide financing.  
(Memo with agenda. Motion approving the hiring of four sworn Police Officers and resolution amending the Annual Budget needed. Estimated cost: \$87,990.)

ACTION: By motion, hiring of four sworn Police Officers approved.  
Res. 89-40 adopted amending budget. (Police/Finance to handle)

WRITTEN COMMUNICATIONS

26. Letter from Sue Chaffee, Colleen O'Brien Preston, et al, regarding the agreement between the City of Modesto and Modesto City Schools District for use of the park site adjacent to Alberta Martone School.

Continued to the meeting of January 24, 1989.

CONSENT

27. Letter from Claudia Hagen, Executive Director of Balloons Over the Valley Air Festival, requesting direct City assistance during the air festival on September 16 & 17, 1989.  
(Motion referring to staff for recommendation needed.)

ACTION: By motion, request referred to staff for recommendation.  
(P/W & T and Finance to handle)

MISCELLANEOUS

28. Appointments

CONSENT

Consider appointment of Jeff Grover as the Planning Commission representative to the Board of Zoning Adjustment.  
(On January 3, 1989, the Commission adopted Resolution 89-6 recommending to the City Council that Jeff Grover be appointed to the Board of Zoning Adjustment. Resolution making appointment needed.)

ACTION: Res. 89-41 adopted approving appointment. (Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

29. (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

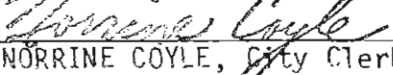
CLOSED SESSION

30. Closed session to discuss pending litigation, pursuant to Government Code Section 54956.9(a).

Continued one week.

ADJOURNMENT

The meeting adjourned at 10:55 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 17, 1989, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 9, 10, 11, 12, 13, 14, 15,  
16, 17, 19, 20, 21, 22, 24, 25,  
26, 27

Removed from consent: 23

ACTION: (Muratore/Sutton, unan.)

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ACKNOWLEDGEMENTS AND PRESENTATIONS

1. a. Presentation of Special Recognition Plaques and Certificates to various businesses and organizations for co-sponsorships of the City's 1988 Recreation Program.

Mayor Whiteside introduced the recipients and Vice Mayor Irizarry presented the plaques and certificates.

- b. Presentation by George Russell about the "Combatting Crime and Violence in California's Ethnic Communities" seminar in Fresno November 2-4, 1988.

Mr. Russell reported on the seminar. By order of the Chair, recommendations referred to staff to report back in 60-90 days if possible.

- c. Presentation by Don Wilkins, Stanislaus County Department of Education, concerning Vocational Education Week.

Mr. Wilkins was not present.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of January 10, 1989.  
(Motion approving needed.)

ACTION: By motion, minutes approved. (Clerk to handle)  
By motion (McGrath/Sutton, unan.) this item was reconsidered prior to item 29.  
By motion (McGrath/Lang, unan.) minutes were approved with the correction noted by the City Clerk.

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.)

Eddie Curran spoke about the new golf course.

HEARINGS

4. Hearing to consider an amendment to Section 17-3-9 of the Zoning Map to rezone from R-1 to P-D(460) to allow a medical office building on property located on the southwest corner of Judith Lane and Timothy Avenue. (Mark Powell)

ACTION: By motion (Sutton/McGrath, majority, Muratore-no) Ord. No. 2632-C.S. introduced.  
Res. 89-43 adopted (same vote) approving plan.  
Res. 89-44 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

5. Hearing to consider an amendment to Section 14-3-9 of the Zoning Map to repeal P-D(314) allowing an apartment project, property located on the north side of Merle Avenue east of Oakdale Road. (Arlo Hilkey)

ACTION: By motion (McGrath/Muratore, unan.) Ord. No. 2633-C.S. introduced.  
(Clerk to handle)

6. Hearing to consider an amendment to Section 7-3-9 of the Zoning Map to repeal P-D(156) allowing a commercial development and temporary vehicle storage facility, property located on the west side of Tully Road north of Standiford Avenue. (John Ward)

ACTION: By motion (Irizarry/Sutton, unan.) Ord. No. 2634-C.S. introduced.  
(Clerk to handle)

7. Hearing to consider an amendment to Section 20-3-9 of the Zoning Map to repeal P-D(213) allowing a two-dwelling addition to an existing dwelling, property located on the north side of Griswold Avenue west of McHenry Avenue. (Robert Tallent)

ACTION: By motion (Sutton/McGrath, unan.) Ord. No. 2635-C.S. introduced.  
(Clerk to handle)

8. Hearing to consider amendments, additions, and deletions to the zoning regulations pertaining to temporary banners for special occasions.

ACTION: By motion (McGrath/Irizarry, unan.) Ord. No. 2635-C.S. introduced.  
(Clerk to handle)

## BIDS

### CONSENT

9. Consider approval of plans and specifications and call for bids for the installation of play apparatus in Wesson Ranch Park.  
(Suggested bid opening: February 7, 1989, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$43,901.77 (contract \$41,901.77; engineering & cont. \$2,000). Funds are budgeted.)

ACTION: Res. 89-45 adopted calling for bids. (P/W & T to handle)

### CONSENT

10. Consider approval of plans and specifications and call for remodeling the restroom at the Crocker Building - 1012 "I" Street.  
(Suggested bid opening: February 7, 1989, at 11:05 a.m. This project will provide handicapped-accessible public restrooms. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$16,500 (contract \$15,000; engineering & cont. \$1,500). Funds are budgeted.)

ACTION: Res. 89-46 adopted calling for bids. (P/W & T to handle)

### CONSENT

11. Consider approving specifications and authorize call for bids to be opened February 14, 1989, at 3:00 p.m. for the lease/purchase of one copy machine.  
(Requested by the Housing Program Office, the copier will replace the current machine which is six years old and is becoming very costly to keep in good condition. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$8,900. (Fiscal Year 1988-89 \$1,600. Funds are budgeted. Pending final budget approval F.Y. 1989-90 \$3,650; F.Y. 1990-91 \$3,650.)

ACTION: Res. 89-47 adopted calling for bids. (Finance to handle)

### CONSENT

12. Consider declaring Western Traction Company low bidder and authorizing the purchase of one high dump street sweeper from the firm for the total price of \$94,895.  
(Memo with agenda. Resolution authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 89-48 adopted awarding bid. (Finance to handle)

### CONSENT

13. Consider declaring Case Power and Equipment sole bidder and authorize the purchase of two loader/forklifts for the total price of \$92,324.  
(Memo with agenda. Resolution authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 89-49 adopted awarding bid. (Finance to handle)

CONSENT

14. Consider accepting Richard A. Heaps, Electrical Contractor, Inc., contract to install traffic signals at Prescott and Rumble as complete. (Original cost: \$81,170)  
(Memo with agenda. Substantial completion occurred on October 20, 1988, when the signal was put into operation. Acceptance has been delayed awaiting completion of minor contract items. All work is now complete. Resolution accepting work as complete needed. Final cost: \$81,045. Funds are budgeted.)

ACTION: Res. 89-50 adopted accepting work as complete. (Clerk to handle)

CONSENT

15. Consider accepting Challenge Electric's contract to install traffic signals at Oakdale and Floyd as complete. (Original cost: \$90,986)  
(Memo with agenda. Substantial completion occurred on October 21, 1988, when the signal was put into operation. Acceptance has been delayed awaiting completion of minor contract items. All work is now complete. Resolution accepting work as complete needed. Final cost: \$91,937.60. Funds are budgeted.)

ACTION: Res. 89-51 adopted accepting work as complete. (Clerk to handle)

CONSENT

16. Consider acceptance of Patch Master of Central California's contract for Project No. 14 - residential alley paving. (Original contract: \$177,975.25)  
(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: \$192,983.95. Funds are budgeted.)

ACTION: Res. 89-52 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider acceptance of TDW Construction, Inc.'s contract for the Hatch Road/Pearson Avenue water strengthening project. (Original contract: \$118,261)  
(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: \$116,367.95. Funds are budgeted.)

ACTION: Res. 89-53 adopted accepting work as complete. (Clerk to handle)

NEW BUSINESS

18. Consider amendments to the City of Modesto Campaign Reform ordinance.  
(Memo and ordinance with agenda. Introduction of ordinance needed.)

ACTION: By motion (Lang/Muratore, majority, McGrath-no) Ord. No. 2637-C.S. introduced amending Sections 2-8.01(c) and 2-8.02(a) and (b).  
A motion to amend Section 2-8.03 failed to carry (Lang/Muratore, McGrath, Patterson, Sutton and Whiteside-no).  
By motion (Patterson/Irizarry, majority, McGrath-no) staff directed to rewrite Section 2-08.03 for Council review.  
(Attorney/Clerk to handle)

CONSENT

19. Consider approving agreement with Philip R. Hendley for the use of existing fuel island No. 1 and jet fuel tank at the Modesto Airport.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-54 adopted approving agreement. (Attorney to handle)

CONSENT

20. Consider approving agreement with Hailwood, Inc., regarding the use of the former Hailwood property.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-55 adopted approving agreement. (Attorney to handle)

CONSENT

21. Consider approving agreement with Aloma Lackey for the lease of 1343 Legion Park Drive.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-56 adopted approving agreement. (Attorney to handle)

CONSENT

22. Consider authorizing the City Manager to submit an application to the U.S. Department of Housing and Urban Development for \$75,000 for the Rental Rehabilitation Program for the City's Housing Program.  
(Memo with agenda. Resolution authorizing the City Manager to submit application needed.)

ACTION: Res. 89-57 adopted approving submission of application.  
(Manager to handle)

23. Consider joining in an amicus curiae brief in the following case: BIA of San Diego v. Superior court, et al. (Issue: Whether Government Code Section 65860 which requires that certain zoning ordinances adopted by general law cities and counties to be consistent with their general plans, can be used by the Building Industry to void growth management legislation adopted by the voters).  
(Memo with agenda. Motion authorizing joining in the above amicus curiae needed.)

ACTION: By motion (Muratore/Lang, majority, McGrath-no) authorized joining in amicus curiae. (Attorney to handle)

CONSENT

24. Consider request for water service to property outside City limits at 1620 Shaddox Avenue, located on the south side of Shaddox Avenue between Watts Avenue and N. 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. 89-58 adopted approving agreement. (P/W & T to handle)

CONSENT

25. Consider approval of a Planning Commission recommendation to permit a part-width street less than 40 feet in width for Walnut Way adjacent to approved vesting tentative subdivision map Jaed Estates. (Modesto Municipal Code Section 4-4.302(a)(8) requires City Council approval for part-width streets less than 40 feet in width. Memo with agenda. Resolution permitting part-width street for Walnut Way needed.)

ACTION: Res. 89-59 adopted permitting part-width street. (Planning to handle)

CONSENT

26. Monthly Treasurer's Report for December, 1988.  
(Copies of report with agenda. Motion acknowledging report needed.)

ACTION: By motion, receipt of report acknowledged.

WRITTEN COMMUNICATIONS

CONSENT

27. Letter from Harlan E. Smith requesting that the City of Modesto again donate the Sweepstakes Trophy for the annual Camellia Show held on March 18 and 19, 1989.  
(Motion approving request needed.)

By motion, request approved. (Finance 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

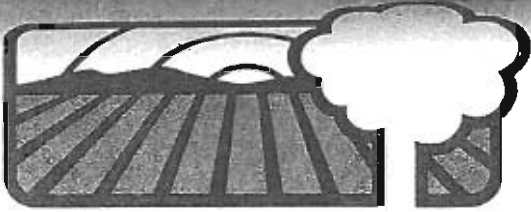
CLOSED SESSION

29. Closed session to discuss pending litigation, pursuant to Government Code Section 54956.9(a).

ADJOURNMENT

The meeting adjourned at 5:25 p.m. to closed session to discuss 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, JANUARY 24, 1989, AT 7:30 P.M.

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

Absent: None  
Councilmember Muratore arrived at 7:32 p.m.

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 13, 15, 16, 19

Dropped from agenda: 14  
ACTION: (Sutton/Lang, unan.)

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Item 12  
(Councilmember McGrath excused due  
to a conflict of interest)

ACTION: (Sutton/Irizarry, unan., McGrath 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.)

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of January 17, 1989.  
(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 recent shooting in Stockton and requested donations.

UNFINISHED BUSINESS

4. Further consideration of letter from Sue Chaffee and Colleen O'Brien Preston regarding the agreement between the City of Modesto and Modesto City Schools District for the use of the park site adjacent to Alberta Martone School.  
(Motion acknowledging receipt of letter needed.)

ACTION: By motion (Lang/Sutton, majority, Irizarry, McGrath and Patterson-no) the request to amend the agreement between the City and Modesto City Schools was denied, allowing the School District to set the school calendar.

By motion (Sutton/Lang, majority, Patterson-no) Council expressed its intention to establish a committee of representatives of the neighborhood, City Schools, and City to determine what alternatives there are to allow conjunctive use of the park site. (P/R to handle)

By motion (Irizarry/McGrath, unan.) item 17 was considered after Item 4.

5. Selection of groups to serve on Tier 2 of the Urban Growth Committee. (Memo with agenda. Representatives from the groups will work with California Environmental Trust representatives on a review of the City's urban growth policy. Motion selecting groups needed.)

ACTION: By motion (Sutton/Muratore, unan.) the revised list of organizations to serve on Tier 2 was approved.

(Planning to handle)

6. Final adoption of Ordinance No. 2632-C.S. amending the Zoning Map to rezone from R-1 to P-D(460), property located on the southwest corner of Judith Lane and Timothy Avenue (Mark Powell). (Motion adopting needed.)

ACTION: By motion (McGrath/Lang, majority, Muratore-no) Ord.No. 2632-C.S. adopted. (Clerk to handle)

7. Final adoption of Ordinance No. 2637-C.S. amending the Modesto Municipal Code sections relating to campaign reform. (Motion adopting needed.)

ACTION: By motion (Lang/Sutton, majority, McGrath and Patterson-no) Ord. No. 2637-C.S. adopted. (Clerk to handle)

By motion (Lang/Irizarry, unan.) Item 15A taken up after Item 7.

CONSENT

8. Final adoption of:

a. Ordinance No. 2633-C.S. amending the Zoning Map to repeal P-D(314) and rezone to R-1, property located on the north side of Merle Avenue east of Oakdale Road (Arlo Hilkey).

b. Ordinance No. 2634-C.S. amending the Zoning Map to repeal P-D(156) and rezone to R-3, property located on the west side of Tully Road north of Standiford Avenue (John Ward).

c. Ordinance No. 2635-C.S. amending the Zoning Map to repeal P-D(213) and rezone to R-1, property located on the north side of Griswold Avenue west of McHenry Avenue (Robert Talent).

d. Ordinance No. 2635-C.S. amending the Modesto Municipal Code sections relating to sign regulations.

(Motion adopting needed.)

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

Councilmember Patterson excused at 12:20 a.m. after discussion of item 15A.  
Councilmember Lang excused at 12:23 a.m. after discussion of item 15A.

#### HEARINGS

9. Hearing to consider the appeal of Michael J. Minson, on behalf of Merrill L. Stone, to a Planning Commission decision concerning an application to rezone from R-1 to R-2, property on the east side of Carver Road north of Montclair Drive.

ACTION: By motion (McGrath/Irizarry, unan., Lang and Patterson absent) Ord. No. 2638-C.S. introduced.  
Res. 89-60 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

10. Hearing to consider amendments, additions and deletions to the Zoning Regulations (Omni XI).

ACTION: By motion (Irizarry/Sutton, unan., Lang and Patterson-absent) Ord. No. 2639-C.S. introduced amending Sections 10-2.503, 10-2.902, 10-2.905, 10-2.1002, 10-2.1004, 10-2.1202 and 10-2.2324 of Chapter 2 of Title X of the Zoning Regulations.

By motion (same vote) Ord.No. 2640-C.S. introduced amending Section 10-2.509 of Chapter 2 of Title X of the Zoning Regulations relating to front yard trash enclosures.

Res. 89-61 adopted (same vote) certifying review of Environmental Assessment relating to Zoning Regulations.

Res. 89-61A adopted (same vote) certifying review of Environmental Assessment relating to front yard trash enclosures. (Clerk/Planning)

11. Hearing to consider City-County Joint Transportation Committee recommendations concerning bus route revisions and extension of the bus system advertising contract with Boyle Kilpatrick.

ACTION: By motion (McGrath/Irizarry, unan., Lang and Patterson absent) hearing continued to February 7, 1989, at 4:00 p.m.

Councilmember Muratore excused due to a conflict of interest.

A motion to approve an amendment to the Boyle Kilpatrick agreement failed to carry (Sutton/Irizarry, McGrath-no, Lang, Muratore and Patterson absent)

BIDS

CONSENT - COUNCILMEMBER MC GRATH EXCUSED DUE TO A CONFLICT OF INTEREST

12. Consider acceptance of Lang's Enterprises, Inc.'s contract for improvements to Fire Station No. 5 heating and cooling system. Original contract: \$30,836.

(All work on this project has been completed to the satisfaction of the Fire Department and 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, and resolution approving appropriation transfer needed. Final cost: \$20,776.)

ACTION: Res. 89-62 adopted (Sutton/Irizarry, unan., McGrath absent) accepting work as complete.  
Res. 89-63 adopted (same vote) approving appropriation transfer.  
(Clerk to handle)

CONSENT

13. Consider acceptance of Garcia Paving Co., Inc.'s contract for the reconstruction of Scenic Drive from Sunnyside to Rose. Original contract: \$205,843.75.

(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 needed. Final cost: \$196,878.30. Funds are budgeted.)

ACTION: Res. 89-64 adopted accepting work as complete. (Clerk to handle)

CONSENT

14. Consider waiving formal bid procedures and authorize the purchase of office refurbishing services from The Warden's Office for \$20,782.

(Memo with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. (Five affirmative votes needed.) Estimated cost: \$20,782. Funds are budgeted.)

Dropped from agenda

NEW BUSINESS

CONSENT

15. Consider approving a letter agreement with Robert L. Crisp to perform an appraisal of two private properties in Block 77, needed for the Police facilities expansion.

(Memo with agenda. Resolution approving letter agreement needed. Estimated cost: \$7,500. Funds are budgeted.)

ACTION: Res. 89-65 adopted approving agreement. (Police to handle)

15A. Reconsideration of the January 10, 1989, decision concerning sewer extension to and annexation of the Claratina area, as requested by Councilmember Muratore.

ACTION: A motion to not consider this matter failed to carry (Patterson/McGrath, Irizarry, Lang, Muratore, Sutton and Whiteside-no)

By motion (Irizarry/Whiteside, unan.) it was agreed to reconsider this matter.

Res. 89-66 adopted (Irizarry/Muratore, majority, McGrath, Patterson and Sutton-no) the action taken at the January 10, 1989, meeting was rescinded.

#### CONSENT

16. Consider approval of the Public Right of Way Maintenance Agreement between Central Valley Associates and Liljenquist Modesto Company, and the City of Modesto.  
(As a condition of approval of the final parcel map located on the north side of Sisk Road between Conant Avenue and Prescott Road, the Planning Commission required this agreement. Memo with agenda. Resolution approving Public Right of Way Maintenance Agreement needed.)

ACTION: Res. 89-57 adopted approving agreement. (P/W & T to handle)

#### WRITTEN COMMUNICATIONS

17. Letter from Modesto Verde Homeowners Association requesting a wall on Prescott Road.

This item was considered after item 4.

ACTION: By motion (Muratore/Sutton, unan.) staff directed to meet with the people in Modesto Verde to find a way for them to build a wall.  
(Planning to handle)

18. Letter from Ronald Arrington, W.E.M.A., Inc., concerning moving a donated building.

Dropped from agenda

#### CONSENT

19. Letter from the Building Industry Association of Central California offering assistance in working with the Environmental Protection Agency to remove restrictions affecting the sewer trunk extension priority list.  
(Motion acknowledging receipt of letter needed.)

ACTION: By motion, receipt of letter acknowledged.

MISCELLANEOUS

20. Appointments

Consider appointments to the Human Relations Commission

ACTION: Res. 89-68 adopted (McGrath/Muratore, unan., Lang and Patterson  
absent) appointing Roger Jackson. (Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

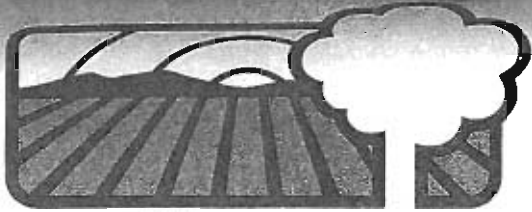
21. (These may be presented by members of the City Council and staff upon  
determination that an emergency exists, as defined by State law, or that  
the need to take action on the matter arose subsequent to the publishing  
of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 12:58 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 special session at 7:30 p.m., February 1, 1989, in the Ash-Magnolia Room, Modesto Centre Plaza, Modesto, California, for a joint meeting with the Modesto Irrigation District Board of Directors.

Present: Councilmembers Patterson, Sutton, Mayor Whiteside

Absent: Councilmembers Irizarry, Lang, McGrath, Muratore

Due to a lack of a quorum, the City Council meeting was adjourned. Members of the Council present sat as a committee to discuss the Modesto surface water treatment study.

After introductory remarks by Mayor Whiteside and Board President Billington, Joe Marcotte, Chief Executive Officer of the M.I.D. reviewed the status of the water treatment study that is being done by the City and M.I.D.

Kennan Beard, Del Este Water Co., and Ed Walker, City of Modesto, reviewed the status of their water systems.

The consultants presented details of their study and made recommendations concerning location of the water treatment facility. Their final report will be presented in March. The Council and Board members and members of the public asked questions and made suggestions.

Mr. Marcotte summarized what action is needed in the near future, and said the staff members of both agencies need direction from the Council and Board. He said a report will be prepared on the pros and cons of a "turn-key" type of construction.

The meeting adjourned at 10:07 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, FEBRUARY 7, 1989, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Bekesh, Hungary, Youth Choral

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 11, 12, 13, 14, 15,  
16, 17, 18, 19, 20, 21, 23, 24, 25,  
26, 27, 28, 29, 30, 31, 32,

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.)

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Announcement of the donation of a Canon 300 F copier donated by the Board of Directors of the King-Kennedy Memorial Center.  
(Motion acknowledging and accepting donation needed.)

Mayor Whiteside expressed appreciation to the Board for the donation.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of January 24, 1989, and the special City Council meeting of February 1, 1989.  
(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 report on California-Marshall Reorganization Election.  
(The annexation was not approved by the voters. Memo with agenda. Resolution certifying the results of the election needed.)

ACTION: Res. 89-69 adopted certifying results.  
Res. 89-70 adopted terminating proceedings. (Clerk to handle)

CONSENT

5. Final adoption of:
  - a. Ordinance No. 2638-C.S. rezoning from R-1 to R-2 property located on the east side of Carver Road north of Montclair Drive (Merrill L. Stone).
  - b. Ordinance No. 2639-C.S. amending sections of the Modesto Municipal Code relating to Planning and Zoning (Omni XI).

(Motion adopting needed.)

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

## HEARINGS

6. Hearing to consider City-County Joint Transportation Committee recommendations concerning proposed bus route revisions and extension of the bus system advertising contract with Boyle/Kilpatrick. (Continued from 1-24-89 meeting.)

ACTION: By motion (Muratore/Sutton, unan.) routes commended were approved. Councilmember Muratore excused due to a conflict of interest.  
Res. 89-71 adopted (Sutton/Lang, majority, McGrath-no, Muratore absent) approving extension of contract. (P/W to handle)

7. Hearing to consider an amendment to P-D(21) and P-D(386) to allow the entire commercial properties to be occupied by C-2 uses, property located on the southeast corner of Tully Road and Standiford Avenue. (Tully Manor Investment)

ACTION: By motion (Patterson/McGrath, majority, Irizarry and Muratore-no) Ord. No. 2641-C.S. introduced amending P-D(21).  
Res. 89-72 adopted (same vote) certifying review of Environmental Assessment.  
Ord. No. 2642-C.S. (same vote) introduced amending P-D(386).  
Res. 89-73 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

8. Hearing to consider the appeal by Star Enterprises to a Planning Commission decision concerning rezoning property at the southeast corner of Coffee Road and Sylvan Avenue from R-3 to P-D for retail uses.

ACTION: By motion (Lang/McGrath, unan.) hearing continued to February 21, 1989, at 4:00 p.m. (Clerk to handle)

9. Hearing to consider an amendment to Sections 28-3-9 and 33-3-9 of the Zoning Map to rezone from C-2 to C-3, property located north of New State Highway 132 and east of Dry Creek.

ACTION: By motion (McGrath/Sutton, unan.) Ord. No. 2643-C.S. introduced.  
Res. 89-74 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

10. Hearing to consider and amendment to P-D(92), the existing elderly care and housing facility between Briggsmore Avenue and Norwegian Avenue, west of Eldena Way.

ACTION: By motion (Lang/McGrath, unan.) Ord. No. 2644-C.S. introduced.  
Res. 89-75 adopted (same vote) approving plan.  
Res. 89-76 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

11. Consider approval of plans and specifications and call for bids for the installation of lighting in Muncy Park, Lakewood Park and Sipherd Park. (Suggested bid opening: February 28, 1989, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$37,924.98 (contract - \$34,477.25; engr. & cont. - \$3,447.73) Funds are budgeted.)

ACTION: Res. 89-77 adopted calling for bids. (P/W to handle)

CONSENT

12. Consider approving specifications and authorize call for bids to be opened March 7, 1989, at 3:00 p.m. for furnishing one pickup truck with utility body. (Requested by the Service Division of the Public Works and Transportation Department, the unit will be used as a service truck and will replace a unit currently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$28,000. Funds are budgeted.)

ACTION: Res. 89-78 adopted calling for bids. (P/W to handle)

CONSENT

13. Consider approving specifications and authorize call for bids to be opened March 7, 1989, at 3:10 p.m., for furnishing one breathing air compressor. (Requested by the Fire Department the breathing air compressor system will replace an older, less reliable system currently in use. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$27,000. Funds are budgeted.)

ACTION: Res. 89-79 adopted calling for bids. (Finance to handle)

CONSENT

14. Consider approving specifications and authorize call for bids to be opened February 28, 1989, at 3:00 p.m., for furnishing one pneumatic pruning system. (Requested by the Transportation Division of the Public Works and Transportation Department, the pneumatic pruning system will be used to clear trees and shrubs along City streets, and will replace a unit currently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$8,000. Funds are budgeted.)

ACTION: Res. 89-80 adopted calling for bids. (Finance to handle)

CONSENT

15. Consider approving plans and specifications and authorize call for bids to be opened February 28, 1989, at 11:00 a.m., for the Morton Boulevard Trestle replacement construction.  
(Memo with agenda. Replacement of the trestle is proposed. DeLeuw, Cather & Company has completed the plans and specifications. Resolution approving plans and specifications and authorizing call for bids needed. Estimated cost: \$358,000 (design - \$65,500; const. - \$265,900; insp., engr., & cont. - \$26,600). A transfer will be requested after bids are received and amount known.)

ACTION: Res. 89-81 adopted calling for bids. (P/W to handle)

CONSENT

16. Consider approving plans and specifications and authorize call for bids to be opened February 28, 1989, at 11:10 a.m., for the water supply for sludge thickeners at the City of Modesto Water Quality Control Plant, and consider approval of appropriation transfer to provide funding for this new project.  
(Memo with agenda. Resolution approving plans and specifications and authorizing call for bids, and resolution approving appropriation transfer needed. Estimated cost: \$49,641 (contract - \$45,128; engr. & cont. - \$4,513).)

ACTION: Res. 89-82 adopted calling for bids.  
Res. 89-82A adopted approving appropriation transfer. (P/W to handle)

CONSENT

17. Consider declaring Safetech Co. low bidder and authorize the purchase of three Police traffic scooters for \$16,920.  
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 89-83 adopted authorizing purchase. (Finance to handle)

CONSENT

18. Consider authorizing the purchase of one truck cab and chassis with dump bed from Pope Chevrolet for \$33,439.  
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 89-84 adopted authorizing purchase. (Finance to handle)

CONSENT

19. Consider waiving formal bid procedures and authorize the purchase of computer equipment from Wang Laboratories for \$18,065.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-85 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

20. Consider waiving formal bid procedures and authorize the purchase of computer equipment from Apple Computer, Inc. for \$8,250, and authorize the City Manager to sign a Government Purchase agreement with Apple Computer, Inc.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase and authorizing City Manager to sign agreement needed. (Five affirmative votes needed.) Funds are budgeted.

ACTION: Res. 89-86 adopted waiving formal bid procedures.  
Res. 89-87 adopted approving agreement. (Finance to handle)

CONSENT

21. Consider waiving formal bid procedures and authorize the purchase of one motorized sand trap rake from H. V. Carter Co. for \$7,760.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.

ACTION: Res. 89-88 adopted waiving formal bid procedures. (Finance to handle)

NEW BUSINESS

Councilmember Irizarry excused at 5:55 p.m.

- 21A. Report concerning EPA's decision that some design work on the wastewater treatment facility is not eligible for Federal participation, as requested by Councilmember Patterson.

No action taken.

22. Consider approval of Recycling Advisory Committee's selection of recycling program logo, slogan, mascots, promotional materials and events.  
(Memo with agenda. Motion approving recommendation needed.)

ACTION: By motion (Sutton/Lang, unan.) recommendation approved. (P/W to handle)

CONSENT

23. Consider request for water service to property outside City limits at 1312 Watts Avenue, located on the east side of Watts between Woodland and Shaddox Avenues. Owner: Ethel G. Pires  
(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. 89-89 adopted approving agreement. (P/W to handle)

CONSENT

24. Consider procedure for monitoring conditions imposed to mitigate environmental impacts of a project.  
(New legislation requires each public agency to adopt a procedure for monitoring measures to mitigate the environmental impacts of projects. Memo with agenda. Resolution adopting mitigation monitoring procedure needed.)

ACTION: Res. 89-90 adopted approving mitigation monitoring procedure.  
(Atty to handle)

CONSENT

25. Consider acceptance of improvements in Roselawn Court Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Jimmy V and Anita S. Allen (Roselawn Court Subdivision is located on the west side of Roselawn Avenue north of Rouse 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. 89-91 adopted accepting improvements as complete.  
(Clerk to handle)

CONSENT

26. Consider cooperative asphalt overlay project with County of Stanislaus for various streets in the South Modesto area.  
(Memo with agenda. The City will participate in the part of the project at Mancini Park. Estimated cost: \$10,000. Funds are budgeted.)

ACTION: By motion, cooperative asphalt overlay project with the County approved.  
Res. 89-92 adopted approving issuance of purchase order.  
(P/W to handle)

CONSENT

27. Consider authorizing the City Manager to sign a hold harmless agreement for use of the stadium, track and pool at Modesto Junior College.  
(Memo with agenda. Resolution approving hold harmless agreement needed.)

ACTION: Res. 89-93 adopted approving agreement. (P/R to handle)

CONSENT

28. Consider job description and salary range for Housing Program Supervisor; and consider title, salary range and description changes to two existing classifications.

(Memo with agenda. Resolution amending the Position Classification Plan to include descriptions for Housing Program Supervisor, Community Development Program Manager, and Sr. Housing Rehabilitation Specialist; and deleting the classifications of Housing Program Officer and Supervising Housing Rehab. Specialist; and resolution amending the class range tables. Funds are budgeted.)

ACTION: Res. 89-94 adopted amending the Position Classification Plan.  
Res. 89-95 adopted amending the salary schedule.  
(Manager to handle)

CONSENT

29. Consider acceptance of an amended Federal grant offer for the water quality control treatment plant improvement project (Units 2 and 3).

(An administrative amendment to the Federal grant is necessary to allow use of project contingency monies for claims assessment and negotiation costs. Memo with agenda. Resolution accepting the amended Federal grant offer and authorizing the City Manager to execute the offer on behalf of the City needed.)

ACTION: Res. 89-96 adopted accepting amended Federal grant.  
(P/W to handle)

CONSENT

30. Consider abandonment of public utility easements in Lots 42-49 of Block 12655 of the City of Modesto.

(Memo with agenda. Resolution vacating and abandoning public utility easement in Lots 42-49 of Block 12655 of Beyerwood West Subdivision at Sylvan Avenue and Selby Lane needed.)

ACTION: Res. 89-97 adopted abandoning public utility easement.  
(P/W to handle)

CONSENT

31. Consider expanding allowable sidewalk food vendor selling areas and other revisions to sidewalk food vending.

(Memo with agenda. Resolution amending the rules and regulations and introduction of an ordinance amending the Municipal Code needed.)

ACTION: Res. 89-98 adopted amending rules and regulations.  
By motion, Ord. No. 2645-C.S. introduced amending the Municipal Code.  
(Manager/Clerk to handle)

CONSENT

32. Consider an ordinance to add the ability to recover expenses of forced lot cleaning with the annual property tax.

(Memo with agenda. Ordinance amending the Municipal Code needed.)

ACTION: By motion, Ord. No. 2645-C.S. introduced. (Clerk to handle)  
WPCC343 8 2-7-89

33. Consider approving an agreement with golf course architect Keith French and Associates .  
(The Golf Course Architectural Selection Committee is recommending approval of an agreement with Keith French and Associates to design the Dry Creek Golf Course. Memo with agenda. Resolution approving agreement, and resolution amending the 1988-89 budget to provide financing. Estimated cost: \$315,670.)

ACTION: Res. 89-99 adopted (Lang/Muratore, unan., Irizarry absent) approving agreement.  
Res. 89-100 adopted (same vote) amending budget. (P/R to handle)

Councilmember Muratore excused at 6:44 p.m.

34. Consider approving an agreement with Lew-Garcia-Davis Engineers for professional engineering services on Dry Creek Golf Course development. (Aerial topographic mapping of the golf course site is needed for design purposes. Memo with agenda. Resolution approving agreement, and resolution amending the 1988-89 budget to provide financing needed. Estimated cost: \$19,900.)

ACTION: Res. 89-101 adopted (Lang/Sutton , unan., Irizarry and Muratore absent) approving agreement.  
Res. 89-102 adopted (same vote) amending budget. (P/R to handle)

#### MISCELLANEOUS

##### Appointments

#### CONSENT

37. Consider recommendation by Human Relations Commission that Quincy Hamilton be appointed as its representative to the Affirmative Action Commission.  
(Memo with agenda. Resolution approving appointment needed.)

ACTION: Res. 89-103 adopted approving appointment. (Clerk to handle)

#### 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 6:46 p.m. to closed session to discuss pending litigation, pursuant to Government Code Section 54956.9(a), and then to Friday, February 10, 1989, at 3:00 p.m. in the City Hall Council Chambers, 801 11th Street, Modesto, for a joint meeting with the Public Projects Committee to discuss 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 an adjourned regular session at 3:00 p.m., February 10, 1989, in the Council Chambers, City Hall, Modesto, California, for a joint meeting with the Council Public Projects Committee.

PRESENT: Councilmembers Irizarry, Lang, Sutton, Mayor Whiteside

ABSENT: Councilmembers McGrath, Muratore, Patterson

PRESENT: Public Projects Committee Members Lang, Sutton, Whiteside

ABSENT: None

By motion (Lang/Sutton, unan.) the Public Projects Committee agreed to recommend to the City Council that the staff recommendation concerning the effective dates of the Capital Facilities Fees be approved.

By motion (Lang/Sutton, unan.) the Public Projects Committee agreed to recommend to the City Council that the matter of annexation fees be referred to staff for study and report to Council in conjunction with the Stage 2 report.

By motion (Sutton/Lang, unan.) the Public Projects Committee agreed to recommend to the City Council that the staff be directed to address all remaining options having to do with school financing and report to Council with the Stage 2 report.

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 special session at 3:00 p.m., February 13, 1989, in the Council Chambers, City Hall, Modesto, California, for a study session concerning a public safety bond issue.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Sutton,  
Mayor Whiteside

Councilmember Irizarry excused at 4:00 p.m.

ABSENT: None


Fire Chief Sheldon distributed information on Fire Department response time and fire ratings in Modesto, and discussed fire station, equipment and personnel needs.

Police Chief McKinsey spoke about Police Department deficiencies and the proposed plans for a police building, parking structure and service garage.

Pete Kolf discussed methods of financing public safety needs.

It was agreed that another study session will be held following the February 21, 1989, City Council meeting.

Meeting adjourned at 4:30 p.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 special session at 7:00 p.m.; February 14, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Sutton, Mayor Whiteside

Councilmember Sutton arrived at 7:13 p.m.  
Councilmember Irizarry arrived at 7:15 p.m.

ABSENT: None

The meeting adjourned at 7:12 p.m. to closed session concerning 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, FEBRUARY 14, 1989, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. John Blakesley, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 7, 8, 9, 10, 15, 16, 18,  
19, 20, 22, 23

ACTION: (Muratore/Sutton, unan.)

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Item 17  
(Councilmember McGrath excused due  
to a conflict of interest.)

ACTION: (Sutton/Muratore, unan., McGrath 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.)

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Councilmember Patterson presented a bouquet to Mayor Whiteside as a result of a contribution to the leukemia fund by Cardoza, Nickerson, Martelli, Curtis & Arata, Attorneys.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of February 7, 1989.  
(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. Final adoption of:
- a. Ord. No. 2641-C.S. amending P-D(21) to allow entire commercial properties to be occupied by C-2 uses, property located on the southeast corner of Tully Road and Standiford Avenue. (Tully Manor Investment)
  - b. Ord. No. 2642-C.S. amending P-D(386) to allow entire commercial properties to be occupied by C-2 uses, property located on the southeast corner of Tully Road and Standiford Avenue. (Tully Manor Investment)  
(Motion adopting needed.)

ACTION: By motion (Lang/Sutton, majority, Irizarry, and Muratore-no) ordinances adopted. (Clerk to handle)

CONSENT

5. Final adoption of:
- a. Ord. No. 2643-C.S. rezoning from C-2 to C-3, property located north of New State Highway 132 and east of Dry Creek.
  - b. Ord. No. 2644-C.S. amending P-D(92), the existing elderly care housing facility between Briggsmore Avenue and Norwegian Avenue, west of Eldena Way.  
(Motion adopting needed.)

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

HEARINGS

6. Hearing to consider approval of Report by Superintendent of Streets on the costs of Project No. 14, resurfacing the alleys listed below. The costs include all aspects of resurfacing the alleys from grubbing to raising water valve boxes.

BLOCK 12952 SHEFFIELD LN. - WINDSOR LN./SUNRISE AVE. - RUMBLE RD.

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Stephen Sheppard	12	\$782.12
<u>ACTION:</u> Res. 89-104 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
Kermit L. Paulsen	11	\$394.48
Paid - dropped from agenda		
Dale E. Moore	10	\$393.51
Paid - dropped from agenda		
John W. Downing	9	\$391.63
<u>ACTION:</u> Res. 89-105 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
Chris W. Christie	8	\$391.53
Paid - dropped from agenda		
Gary M. Streder	7	\$414.27
<u>ACTION:</u> Res. 89-106 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
Axel W. Hedberg Jr.	6	\$413.14
<u>ACTION:</u> Res. 89-107 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		
Richard A. Williams	5	\$669.41
<u>ACTION:</u> Res. 89-108 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)		

Frank Robinson 4 \$606.81

Paid - dropped from agenda

Samuel Sargis 3 \$609.01

ACTION: Res. 89-109 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

John F. Kluber 2 \$607.50

Paid - dropped from agenda

Robert S. Westphal 1 \$515.56

Paid - dropped from agenda

Marylyn L. Mancine 25 \$531.86

Paid - dropped from agenda

Ilona M. Parkhurst 24 \$239.01

Paid - dropped from agenda

BLOCK 808 PRINCETON AVE. - TRINITY AVE./NOTRE DAME - COLLEGE AVE.

Property Owner Lot Contract Cost

Robert J. Benson 1 \$564.22

ACTION: Res. 89-110 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Robert H. Odell 2 \$310.45

Paid - dropped from agenda

George W. Ditman 3 & Portion 2 & 4 \$453.25

ACTION: Res. 89-111 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Wallace E. Allen Portion 4 & 5 \$463.38

ACTION: Res. 89-112 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Elmer D. Baim 6 & Portion 5 \$463.22

ACTION: Res. 89-113 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Mathew S. Ward 7 \$854.51

Paid - dropped from agenda

Russell A. Edmundson 8 \$646.18

ACTION: Res. 89-114 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Antoinette J. Tumbarello 9 \$269.55

ACTION: Res. 89-115 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Charles M. Spencer 10 \$346.50

Paid - dropped from agenda

Robert A. Kriese 11 \$346.60

Paid - dropped from agenda

Walter Gnesa 12 & Portion 13 \$685.53

ACTION: Res. 89-116 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Jimmy W. Hively 14 & Portion 13 \$835.05

ACTION: Res. 89-117 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

BLOCK 809 PRINCETON AVE. - TRINITY AVE./NOTRE DAME - TULLY RD.

Property Owner Lot Contract Cost

Yousef Geith 1 \$370.00

ACTION: Res. 89-118 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Edward L. McClarty 2 & Portion 3 \$366.35

ACTION: Res. 89-119 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

S. Stan Pavkov Portion 3 & 4 \$422.85

Paid - dropped from agenda

Gerald G. Collins Portion 4 & 5 \$428.14

Paid - dropped from agenda





Clarence E. Simpson 1 \$396.69

Paid - dropped from agenda

Carlin C. Howell 16 \$396.69

Paid - dropped from agenda

William F. Hardy 15 \$396.69

ACTION: Res. 89-136 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

George E. Wallace 14 \$369.69

Paid - dropped from agenda

Joseph M. Stuart 13 \$396.69

Paid - dropped from agenda

Harris P. Yowell 12 \$396.69

Paid - dropped from agenda

Norman Lee Cole 11 \$396.69

ACTION: Res. 89-137 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Joseph E. Ensley 10 \$396.69

ACTION: Res. 89-138 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Deane O. Bashaw 9 \$382.88

ACTION: Res. 89-139 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

BLOCK 2028 ENCINA AVE. - ROBLE AVE./WILSON AVE. - SANTA ANA AVE.

Property Owner Lot Contract Cost

Ruben J. Patron Portion \$372.03

ACTION: Res. 89-140 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)



Joseph M. Vargas	Portion	\$318.88
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ACTION: Res. 89-151 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Jimmie D. Goforth	Portion	\$318.88
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Paid - dropped from agenda

Timothy P. Moon	Portion	\$308.25
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Paid - dropped from agenda

Ronald L. McSparin	Portion	\$320.73
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Paid - dropped from agenda

Raymond N. Hamilton	Portion	\$318.88
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Paid - dropped from agenda

John H. Loschke	Portion	\$318.88
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ACTION: Res. 89-152 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Alexander Laslo	Portion	\$372.03
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BLOCK 1006 MORRIS AVE./GRANTLAND CT.

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
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Duncan B. Keir	11	\$347.51
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Paid - dropped from agenda

Phyllis Bliss Luse	10	\$318.33
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ACTION: Res. 89-153 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Verden F. Cooney	9	\$318.33
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ACTION: Res. 89-154 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

John F. Chappell	8	\$318.33
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ACTION: Res. 89-155 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

William C. Hindrichsen 7 \$318.33

ACTION: Res. 89-156 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Linda Ulrich 6 \$318.33

ACTION: Res. 89-157 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Thomas E. Holley 5 \$318.33

ACTION: Res. 89-158 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Vernon L. Foster 4 \$318.33

ACTION: Res. 89-159 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Lawerence J. Serpa 3 \$318.33

Paid - dropped from agenda

Carl Nunes 2 \$318.33

ACTION: Res. 89-160 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

George Pack 1 \$347.51

Paid - dropped from agenda

Roy S. Beget 22 \$347.51

Paid - dropped from agenda

Mable E. Wichman 21 \$318.33

Paid - dropped from agenda

Vernon A. Hubbard 20 \$318.33

ACTION: Res. 89-161 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Verner L. Runsten 19 \$318.33

ACTION: Res. 89-162 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Harry Rix 18 \$318.33

ACTION: Res. 89-163 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Lucretia M. Parlin 17 \$318.33

ACTION: Res. 89-164 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Sydney M. Barnett 16 \$318.33

Paid - dropped from agenda

Tag Nomelli 15 \$318.33

ACTION: Res. 89-165 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Debra F. Loyd 14 \$318.33

ACTION: Res. 89-166 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Betty Boj Sode 13 \$318.33

Paid - dropped from agenda

Albert I. Kiryakoz 12 \$347.51

ACTION: Res. 89-167 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

BLOCK 6829 NORTHGATE DR. - FLEETWOOD DR./DORRINGTON CT. - RIDGEWOOD CT.

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
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John B. Shore	5 & 6	\$746.54
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ACTION: Res. 89-168 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Chauncey G. Behrens	4	\$500.80
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Paid - dropped from agenda

Weldon M. Longbotham	3	\$472.49
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ACTION: Res. 89-169 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Joseph G. Koscho 2 \$478.49

ACTION: Res. 89-170 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Arlo T. Dietz 1 \$131.49

ACTION: Res. 89-171 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Jean S. Keasling 15 \$687.18

ACTION: Res. 89-172 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Harold W. Flesher 14 \$628.44

ACTION: Res. 89-173 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

A. Joseph Bellizzi 13 \$495.65

ACTION: Res. 89-174 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Grant E. Bare 12 \$531.34

ACTION: Res. 89-175 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Jennie Brower 11 \$702.80

Paid - dropped from agenda

Lester C. Peterson 10 \$246.00

Paid - dropped from agenda

William C. Dressler 8 \$378.53

ACTION: Res. 89-176 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

BLOCK 210 LANE ST. - WALDEN ST./BURNEY ST. - JAMES ST.

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Jimmy W. Hively	23 & 24	\$263.41

ACTION: Res. 89-177 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Eddie L. Brubaker 25 & 26 \$263.41

ACTION: Res. 89-178 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Robert W. Cole 27 & 28 \$263.41

ACTION: Res. 89-179 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Gerald P. Pasa 29 & 30 \$263.41

ACTION: Res. 89-180 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Frances M. Anderson 31 & 32 \$263.41

ACTION: Res. 89-181 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Ed Kimball 13 & 14 \$263.41

ACTION: Res. 89-182 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Winifred A. Butler 15 & 16 \$263.41

ACTION: Res. 89-183 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Curtis Miller 17 & 18 \$263.41

ACTION: Res. 89-184 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Gerald P. Pasa 19 & 20 \$263.41

ACTION: Res. 89-185 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Julia Fontana 21 & 22 \$263.41

ACTION: Res. 89-186 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)



Debra A. Budding 27 & 28 \$264.86

ACTION: Res. 89-195 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Raymond G. Diaz 25 & 26 \$264.86

ACTION: Res. 89-196 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Michael E. Geary 23, 24 & Portion 22 \$291.35

Paid - dropped from agenda

David Cervantes 21 & Portion 22 \$238.37

ACTION: Res. 89-197 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Modesto Christian Church 18, 19 & 20 \$432.78

ACTION: Res. 89-198 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

BLOCK 816 COLUMBIA WAY - MILLS AVE./CARLA LN. - MELINDA LN.

Property Owner Lot Contract Cost

Anna Pierce 9 \$682.17

ACTION: Res. 89-199 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Joseph B. Gere 8 \$628.55

Paid - dropped from agenda

Ronald C. Jennison 7 \$628.55

ACTION: Res. 89-200 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Alexander Vaille 5 & 6 \$733.99

ACTION: Res. 89-201 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

William R. Sellman 1 \$628.55

ACTION: Res. 89-202 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Buddy W. Bales 2 \$628.55

ACTION: Res. 89-203 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

E. William Wilson 3 \$628.55

ACTION: Res. 89-204 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Robert R. Stephens 4 \$682.17

Paid - dropped from agenda

BLOCK 2282 COLFAX AVE. - CLOVERDALE AVE./ROBLE AVE. - HADDON AVE.

Property Owner Lot Contract Cost

June G. Roberts 1 \$351.54

ACTION: Res. 89-205 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

David C. Edwards 2 \$324.42

Paid - dropped from agenda

Kraig D. Martin 3 \$324.42

ACTION: Res. 89-206 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

James R. Berry 4 \$324.42

ACTION: Res. 89-207 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Johnny B. Grooms 5 \$324.42

Paid - dropped from agenda

Emil Caputi 6 \$324.42

Paid - dropped from agenda

F. J. Bailey 7 \$324.42

ACTION: Res. 89-208 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Bobby G. Edwards 8 \$356.33

Paid - dropped from agenda

Claude F. Helton 9 \$356.33

Paid - dropped from agenda

Florence Wagner 10 \$324.42

ACTION: Res. 89-209 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Wm. A. Dickerson 11 \$324.42

ACTION: Res. 89-210 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Velia V. Guerrero 12 \$324.42

ACTION: Res. 89-211 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Mary Carbone 13 \$324.42

Paid - dropped from agenda

Howard E. Nicholas 14 \$324.42

ACTION: Res. 89-212 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Victor R. Gaona 15 \$324.42

ACTION: Res. 89-213 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Bobby L. Whatley 16 \$351.54

ACTION: Res. 89-214 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

BLOCK 6020 MAPLEWOOD DR. - CHERRYWOOD DR./WESTLAND DR. - DEL VALE AVE.

Property Owner Lot Contract Cost

Peter A. Aldach 7 \$353.35

Paid - dropped from agenda

Scott Hansen 6 \$346.00

ACTION: Res. 89-215 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Charles T. Stirling 5 \$346.00

Paid - dropped from agenda

Grove S. Sims 4 \$346.00

ACTION: Res. 89-216 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Ray C. Kelly 3 \$346.00

Paid - dropped from agenda

Florence L. Givens 2 \$346.00

ACTION: Res. 89-217 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Nate J. Gambino 1 \$343.55

Paid - dropped from agenda

Terry J. Washburn 14 \$354.36

ACTION: Res. 89-218 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Dorrs R. Stout 13 \$346.00

ACTION: Res. 89-219 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Gordon H. Elmore 12 \$346.00

Paid - dropped from agenda

Carl E. Abplanalp 11 \$346.00

ACTION: Res. 89-220 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Herman L. Parker 10 \$346.00

ACTION: Res. 89-221 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Robert O. Dayberry 9 \$346.00

ACTION: Res. 89-222 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Albert M. Silva 8 \$342.70

Paid - dropped from agenda

BLOCK 6041 ORANGEBURG AVE. - OAKWOOD DR./DEL VALE AVE. - KEARNEY AVE.

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
James M. Weaving	1	\$341.45

ACTION: Res. 89-223 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Edward W. Smith 2 \$335.28

Paid - dropped from agenda

Stephany Windorski 3 \$335.28

ACTION: Res. 89-224 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Rose M. Hollis 4 \$335.28

ACTION: Res. 89-225 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Michael J. Toma 5 \$335.28

ACTION: Res. 89-226 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Lin Sing Wong 6 \$335.28

Paid - dropped from agenda

Charles W. Greenhaw 7 \$335.28

ACTION: Res. 89-227 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Arthur R. Bernal 8 \$335.28

Paid - dropped from agenda

Robert R. Rimmel 9 \$335.28

ACTION: Res. 89-228 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Ray Biedenweg 10 \$335.28

ACTION: Res. 89-229 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Ray Biedenweg 11 \$363.48

ACTION: Res. 89-230 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Vito Lacomare 12 \$340.17

ACTION: Res. 89-231 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Clayton K. Gottschalk 13 \$335.28

Paid - dropped from agenda

Edward I. Eshoo 14 \$335.28

Paid - dropped from agenda

Dan W. Kreutz 15 \$335.28

Paid - dropped from agenda

E. Wayne Baird 16 \$335.28

ACTION: Res. 89-232 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Lonni Ashlock 17 \$335.28

ACTION: Res. 89-233 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Leslie J. Miller 18 \$335.28

ACTION: Res. 89-234 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Kathleen J. Short 19 \$335.28

ACTION: Res. 89-235 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Dell V. Zwicker 20 \$335.28

Paid - dropped from agenda

George J. McConnell 21 \$335.28

Paid - dropped from agenda

Michael R. Ertel 22 \$364.55

ACTION: Res. 89-236 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

BLOCK 6629 THEO AVE. - KINGSBURY AVE./HEMMINGER WAY - UHLIG AVE.

Property Owner Lot Contract Cost

Kenneth R. Lowe 1 \$386.06

ACTION: Res. 89-237 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

James H. Montgomery 2 \$323.22

ACTION: Res. 89-238 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Leona W. Peterson 3 \$323.22

Paid - dropped from agenda

Richard C. Hicks 4 \$323.22

ACTION: Res. 89-239 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Kennith D. McCoy 5 \$323.22

ACTION: Res. 89-240 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

John P. Kolodziej 6 \$333.50

Paid - dropped from agenda

John A. Ruiz, Sr. 7 \$323.22

ACTION: Res. 89-241 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Richard L. Hartgrove 8 \$323.22

ACTION: Res. 88-242 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Kim A. Krieman 9 \$323.22

ACTION: Res. 89-243 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Joseph R. Padilla 10 \$323.22

ACTION: Res. 89-244 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Rose M. Brown 11 \$323.22

ACTION: Res. 89-245 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Henry Leon 12 \$323.22

ACTION: Res. 89-246 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

D. A. Childers 13 \$402.65

ACTION: Res. 89-247 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Rex D. Embry 14 \$387.07

Paid - dropped from agenda

Richard E. Jacobs 15 \$323.22

ACTION: Res. 89-248 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Viec Van Nguyen 16 \$323.22

ACTION: Res. 89-249 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Sharon K. Welch 17 \$232.22

ACTION: Res. 89-250 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Philip R. Lustrì 18 \$323.22

Paid - dropped from agenda

Ralph Heinrich 19 \$323.22

ACTION: Res. 89-251 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Robert M. Sayers 20 \$338.80

ACTION: Res. 89-252 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Cindi Wherry 21 \$317.92

ACTION: Res. 89-253 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Fred M. Wulzen 22 \$323.22

ACTION: Res. 89-254 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Roger d. Burton 23 \$323.22

Paid - dropped from agenda

Max La Munyon 24 \$323.22

ACTION: Res. 89-255 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Bruce Frauenkron 25 \$323.22

ACTION: Res. 89-256 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Melvin L. Silveira 26 \$401.64

ACTION: Res. 89-257 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

BLOCK 6824 NORTHGATE DR. - NORTHWOOD DR./KIRKWOOD AVE. - SHERWOOD AVE.

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Dirk Hoek	3	\$581.71

ACTION: Res. 89-258 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Merle H. Wight	4 & Portion 5	\$604.17
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Paid - dropped from agenda

Nioma E. Crossfield	Portion 5	\$506.82
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Paid - dropped from agenda

Connie C. Zavesky	6	\$480.80
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ACTION: Res. 89-259 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Carl T. Miller	7	\$693.40
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ACTION: Res. 89-260 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Paul A. Triller	8	\$653.77
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ACTION: Res. 89-261 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Elizabeth B. Denenholz	9	\$544.43
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ACTION: Res. 89-262 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

BLOCK 6922 FLOYD AVE. - BRUCE AVE./JASMIN AVE. - DANA LANE

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
Robert M. Baca	Portion 18	\$395.30

ACTION: Res. 89-263 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Antoinette Cardoza	Portion 18	\$480.77
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Paid - dropped from agenda

Doralee P. Rainey	9	\$470.09
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ACTION: Res. 89-264 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Ronald Genasci 10 \$470.09

ACTION: Res. 89-265 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Loretta J. Chrisco 11 \$373.93

Paid - dropped from agenda

Dudley S. Herman 12 \$357.37

ACTION: Res. 89-266 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Deanna Clark 13 \$357.37

Paid - dropped from agenda

Mercedes Y. Peters 14 \$357.37

ACTION: Res. 89-267 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Garold D. Duden 15 \$364.85

Paid - dropped from agenda

BLOCK 6140 CONCORD AVE. - ALBANY AVE./WOODMAN WAY - GRANGER AVE.

Property Owner Lot Contract Cost

May Russell 1 \$372.40

ACTION: Res. 89-268 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Edwin D. Davis 2 \$318.15

Paid - dropped from agenda

Hardy D. Crabtree 3 \$318.15

ACTION: Res. 89-269 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Mary A. Prokes 4 & Portion 5 \$477.23

ACTION: Res. 89-270 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

William Rutgers 6 & Portion 5 \$477.23

ACTION: Res. 89-271 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Don H. Watson 7 \$318.15

Paid - dropped from agenda

Zina W. Carey 8 \$318.15

Paid - dropped from agenda

Paul J. Fernandes 9 \$318.15

ACTION: Res. 89-272 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

David A. Kalunian 10 \$318.15

ACTION: Res. 89-273 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Howard T. Battles 11 \$318.15

ACTION: Res. 89-274 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Calvin D. Henne 12 \$318.15

ACTION: Res. 89-275 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Dolly A. Dilworth 13 \$318.15

Paid - dropped from agenda

Lorinda A. Navone 14 \$318.15

ACTION: Res. 89-276 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Dave R. Schultz 15 \$318.15

ACTION: Res. 89-277 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Raymond E. Stuit 16 \$318.15

Paid - dropped from agenda

Ruth D. Edwards 17 & Portion 18 \$334.06

ACTION: Res. 89-278 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Burton R. Pike Portion 18 \$302.24

ACTION: Res. 89-279 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Carlton R. Parrill 19 \$318.15

Paid - dropped from agenda

Charles E. Bohlken 20 \$318.15

Paid - dropped from agenda

Coni L. Bloomingcamp 21 \$318.15

ACTION: Res. 89-280 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Ernest M. Thompson 22 \$318.15

Paid - dropped from agenda

Charles D. Wilkinson 23 \$318.15

ACTION: Res. 89-281 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

John G. Beasley 24 \$369.00

Paid - dropped from agenda

Councilmember Muratore excused due to a conflict of interest.

BLOCK 466 COLLEGE AVE. - MYRTLE AVE./MORRIS AVE. - COLDWELL AVE.

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
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Frank T. Muratore	47 & 48	\$265.50
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ACTION: Res. 89-282 adopted (McGrath/Sutton, unan., Muratore absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

Ethel A. Bradshaw	45 & 46	\$265.50
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Paid - dropped from agenda

Walter J. Masciorini, Jr. 43, 44, & Portion 42 \$292.05

ACTION: Res. 89-283 adopted (McGrath/Sutton, unan., Muratore absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

Erdean M. Reid 41 & Portion 42, 40 \$292.05

Paid - dropped from agenda

Lanita H. Ward 38, 39 & Portion 40 \$345.15

Paid - dropped from agenda

Lanita H. Ward 36 & 37 \$265.50

Paid - dropped from agenda

Lanita H. Ward 34 & 35 \$265.50

Paid - dropped from agenda

Elizabeth M. Sanders 32 & 33 \$265.50

ACTION: Res. 89-284 adopted (McGrath/Sutton, unan., Muratore absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

Roland Haack 30 & 31 \$265.50

Paid - dropped from agenda

William R. Daniels 28 & 29 \$265.50

Paid - dropped from agenda

Ignacio A. Tan 25, 26, & 27 \$398.25

ACTION: Res. 89-285 adopted (McGrath/Sutton, unan., Muratore absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

Mary E. Zuchelli 23 & 24 \$265.50

Paid - dropped from agenda

Carl R. Jacobsen 21 & 22 \$265.50

ACTION: Res. 89-286 adopted (McGrath/Sutton, unan., Muratore absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

Harter R. Bruch 19, 20 & Portion 18 \$331.87

ACTION: Res. 89-287 adopted (McGrath/Sutton, unan., Muratore absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

Peter Wiinikka 16, 17 & Portion 18 \$331.87

ACTION: Res. 89-288 adopted (McGrath/Sutton, unan., Muratore absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

Peter Wiinikka 14, 15 & Portion 13 \$331.87

ACTION: Res. 89-289 adopted (McGrath/Sutton, unan., Muratore absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

Keith Jones 11, 12 & Portion 13 \$331.87

ACTION: Res. 89-290 adopted (McGrath/Sutton, unan., Muratore absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

William D. Reeves 9, 10 & Portion 8 \$331.87

ACTION: Res. 89-291 adopted (McGrath/Sutton, unan., Muratore absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

Walter J. Masciorini, Jr. 6, 7 & Portion 8, 5 \$398.25

Paid - dropped from agenda

Lester A. Wilson 3, 4 & Portion 5 \$331.87

Paid - dropped from agenda

Clara Q. Catzalco 1 & 2 \$265.50

ACTION: Res. 89-292 adopted (McGrath/Sutton, unan., Muratore absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

BLOCK 810 TULLY RD. - NOTRE DAME AVE./PRINCETON AVE. - FORDHAM AVE.

Property Owner GarrLot Contract Cost

ett Reimer 9 \$430.78

ACTION: Res. 89-293 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Ricky W. Robinson 10 \$396.71

ACTION: Res. 89-294 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Robert A. Midboe 11 \$396.71

ACTION: Res. 89-295 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Donald W. Phillips 12 \$387.83

Paid - dropped from agenda

Roxanne H. Alexander 13 \$500.71

ACTION: Res. 89-296 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Teddie M. Hanson 14 \$402.16

ACTION: Res. 89-297 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Anthony E. Pruitt Portion 14 \$581.85

Paid - dropped from agenda

Roxanne K. Heinrich 1 \$370.27

Paid - dropped from agenda

Hubert M. Brockett 2 & Portion 3 \$528.95

Paid - dropped from agenda

Don D. Hammond Portion 3 \$555.40

Paid - dropped from agenda

Carol A. Wilson Portion 6 \$480.18

ACTION: Res. 89-298 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Dale R. Warner Portion 6 \$581.85

ACTION: Res. 89-299 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Richard A. Sweeney 8 & Portion 7 \$606.55

ACTION: Res. 89-300 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

BLOCK 2263 MILLER AVE. - GLENDALE AVE./PARRY AVE. - EL VISTA AVE.

Property Owner Lot Contract Cost

Herman C. Winters 1 \$347.85

ACTION: Res. 89-301 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Edward A. Sylvia 2 \$345.19

Paid - dropped from agenda

Frank F. Cox 3 \$345.19

Paid - dropped from agenda

Robert Hartzell 4 \$345.19

Paid - dropped from agenda

Keith Mosley 5 \$345.19

Paid - dropped from agenda

Pamela A. Prevette 6 \$345.19

ACTION: Res. 89-302 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Alex C. Leventini 7 \$345.19

Paid - dropped from agenda

Ned R. Anderson 8 \$345.19

ACTION: Res. 89-303 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

James E. Howard 9 \$366.44

ACTION: Res. 89-304 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Virgil A. Shaw 10 \$366.44

Paid - dropped from agenda

Pauline Thompson 11 \$345.19

Paid - dropped from agenda

Gerald W. Felton 12 \$345.19

ACTION: Res. 89-305 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Harold R. Rose 13 \$345.19

Paid - dropped from agenda

Grant U. Bowman Sr. 14 \$345.19

Paid - dropped from agenda

Ralph H. Brown 15 \$345.19

ACTION: Res. 89-306 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Mae Denison 16 \$345.19

ACTION: Res. 89-307 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Dennis D. Berquist 17 \$345.19

ACTION: Res. 89-308 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Raymond R. Murray 18 \$347.85

Paid - dropped from agenda

BLOCK 6622 SCHULENBURG AVE. - THEO AVE./HEMMINGER WAY. - UHLIG AVE.

Property Owner Lot Contract Cost

David A. Gough 1 \$385.02

ACTION: Res. 89-309 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Yolanda H. Trujillo 2 \$322.35

ACTION: Res. 89-310 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

John L. Dawson 3 \$322.35

ACTION: Res. 89-311 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Sidney A. Youngblood 4 \$322.35

ACTION: Res. 89-312 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Charles O. Johnson 5 \$322.35

ACTION: Res. 89-313 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Norman A. Bertolosso 6 \$332.60

ACTION: Res. 89-314 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Hank N. Vander Veen 7 \$322.35

ACTION: Res. 89-315 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

James H. Barnwell 8 \$322.35

ACTION: Res. 89-316 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Kim Leong 9 \$322.35

Paid - dropped from agenda

Everett W. Alexander 10 \$322.35

ACTION: Res. 89-317 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Montford S. Grant 11 \$322.35

Paid - dropped from agenda

Montford S. Grant 12 \$476.86

Paid - dropped from agenda

John L. Bonzi 13 \$391.25

ACTION: Res. 89-318 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Terri L. Warburton 14 \$343.48

Paid - dropped from agenda

Robert M. Garcia 15 \$343.48

ACTION: Res. 89-319 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Gaines E. Austin, Sr. 16 \$343.48

ACTION: Res. 89-320 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Michele A. Davis 17 \$343.48

ACTION: Res. 89-321 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Cecil F. Leshar 18 \$348.45

Paid - dropped from agenda

Charles C. Newport 19 \$317.06

Paid - dropped from agenda

Arnold F. Burrowes 20 \$322.35

ACTION: Res. 89-322 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Betty F. Middleton 21 \$322.35

ACTION: Res. 89-323 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Randy R. Harris 22 \$322.35

ACTION: Res. 89-324 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Robin A. Fithian 23 \$322.35

ACTION: Res. 89-325 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

Sharon Azevedo 24 \$400.55

ACTION: Res. 89-326 adopted (Lang/McGrath, unan.) confirming report, assessing costs, directing method of payment. (Finance to handle)

## BIDS

### CONSENT

7. Consider approving specifications and authorizing call for bids to be opened March 14, 1989, at 3:00 p.m. for furnishing two infrared hearing augmentation systems.  
(Memorandum with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$28,000. Funds are budgeted.)

ACTION: Res. 89-327 adopted calling for bids. (Finance to handle)

### CONSENT

8. Consider award of contract for the installation of play apparatus in Wesson Ranch Park to B & L Builders, Inc.  
(Bids were opened February 7, 1989. The low bid of \$42,964, submitted by B & L Builders, is 2.54% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Bid tabulation with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: 89-328 adopted awarding contract. (P/W to handle)

### CONSENT

9. Consider award of contract for the restroom remodeling project at the Crocker Building to Howell Construction, Inc.  
(Bids were opened on February 7, 1989. The low bid of \$16,627, submitted by Howell Construction, Inc. is 10.95% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Howell Construction, Inc. Bid tabulation with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 89-329 adopted awarding contract. (P/W to handle)

### CONSENT

10. Consider waiving formal bid procedures and authorizing the purchase of a starter panel from Wille Electric Supply Co., Inc. for \$5,740.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-330 adopted waiving formal bid procedures. (Finance to handle)

## NEW BUSINESS

11. Consider report by the Peaches and Pits Community Board of Directors.  
(Oral report will be made at the meeting.)

Report was made.

12. Discussion of ten-year Charter review process and amending run-off election dates.  
(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (McGrath/Lang, unan.) it was determined that a special election will not be held in June, and the matter of election dates was referred to the next Charter Review Committee for study.

By motion (McGrath/Sutton, majority, Irizarry-no) the staff recommendations concerning establishing the Charter Review Committee and the time schedule was approved.

13. Consider introduction of an ordinance amending Section 2-8.03 of the Modesto Municipal Code relating to limitations on contributions in the week preceding election.  
(Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2647-C.S. introduced.  
(Clerk to handle)

14. Modesto Police Department 1988 Annual Report  
(Memo with agenda. An oral report will be made at the meeting. Motion accepting report needed.)

Chief McKinsey first reported that Officer Hoek, who was shot this afternoon, is in satisfactory condition. He then reported on the reduced burglaries in the past three years.

ACTION: By motion (Sutton/McGrath, unan.) report accepted.

CONSENT

15. Consider amending Fiscal Year 1988-89 budget to create a Capital Improvement Project in order to transfer funds in the amount of \$37,000 from the Water Fund Reserve to allow for purchase of vehicles not previously budgeted.  
(Memo with agenda. Resolution creating C.I.P. project needed, and resolution amending Fiscal Year 1988-89 budget needed.)

ACTION: Res. 89-331 adopted amending budget.  
Res. 89-332 adopted authorizing purchase of vehicles.  
(P/W and Finance to handle)

CONSENT

16. Consider executing easement deed across a triangle park at Tuolumne and H Streets for Modesto Irrigation District electrical facilities.  
(Memo with agenda. Resolution authorizing execution of easement deed by City Manager and City Clerk needed.)

ACTION: Res. 89-333 adopted approving easement deed. (Clerk to handle)

CONSENT - COUNCILMEMBER MC GRATH EXCUSED DUE TO A CONFLICT OF INTEREST

17. Consider approval of the final map of Eastridge Plaza No. 2 subdivision of the City of Modesto and consider accepting the improvements.  
(Developer: Zagaris Management Services, Inc.)  
(All improvements have been completed to the satisfaction of the Engineering Department and all fees paid. Eastridge Plaza No. 2 is located on the north side of East Orangeburg Avenue, west of Santa Paula Drive. It contains 2.076 acres. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 89 -334 adopted approving final map. (Clerk to handle)

CONSENT

18. Consider approval of the final map of Mountainview Terrace Unit No. 3 subdivision of the City of Modesto and authorizing an agreement with 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. 3 is located on the north side of Kansas Avenue west of Rosemore Avenue. It contains 0.943 acre. Resolution approving final map needed.)

ACTION: Res. 89-335 adopted approving final map. (Clerk to handle)

CONSENT

19. Set hearing date to consider adoption of Stage 1 - revised Capital Facilities Fees.  
(Memo with agenda. Staff anticipates that the Public Projects Committee will complete its review of Stage 1 of the revised Capital Facilities Fees on February 10 and make a recommendation to the City Council. Resolution setting hearing February 28, 1989, at 7:30 p.m. needed.)

ACTION: Res. 89-336 adopted setting hearing. (Clerk to handle)

CONSENT

20. Consider request for refund of \$2,402.25 for overpayment of Business License Tax by Homer J. Olsen, Inc.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 89-337 adopted approving refund. (Finance to handle)

#### WRITTEN COMMUNICATIONS

21. Letter from J. D. Grothe, Chairman of the Chamber of Commerce's Modesto a la Carte Steering Committee, concerning holding this year's event on June 17-18, 1989, downtown on I Street between 9th and 12th streets.

ACTION: A motion (Lang/Muratore) to approve request was withdrawn.  
By order of the Chair, staff and Chamber requested to work on the details of the event. (P/R to handle)

CONSENT

22. Letter from Khai Tran resigning from the Modesto Youth Commission.  
(Resolution accepting resignation with regret needed.)

ACTION: Res. 89-338 adopted accepting resignation. (Clerk to handle)

MISCELLANEOUS

Legislation

CONSENT

23. Staff recommends:

Oppose

a. AB 2 (Chacon) School Districts: Trustee Areas

Support

b. AB 6A (Mountjoy) Purge of Voter Registration Rolls

(Memos with agenda. Motion accepting recommendations needed.)

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

Appointments

24. a. Modesto Youth Commission.

ACTION: Res. 89-339 adopted (Lang/McGrath, unan.) appointing Peter Caster to the Modesto Youth Commission.

b. Culture Commission

ACTION: Res. 89-340 adopted (Lang/McGrath, unan.) appointing Virginia Choate and Marjorie Baker to the Culture Commission

c. Board of Personnel Appeals

ACTION: Res. 89-341 adopted (Lang/Irizarry, unan.) appointing Alberta Martone to the Board of Personnel Appeals.

d. Planning Commission

ACTION: Res. 89-342 adopted (Lang/Irizarry, unan.) appointing Timothy Fisher to the Planning Commission.

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 9:14 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, FEBRUARY 21, 1989, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Wayne Bridegroom, Central Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 9, 10, 11, 12, 13,  
17, 18, 19, 20, 21, 22, 23, 24,  
25, 26, 28, 30

Removed from consent: 15

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.)

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned regular meeting of February 10, special meetings of February 13 and February 14, and the regular meeting of February 14, 1989.  
(Motion approving needed.)

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

3. ORAL COMMUNICATIONS

(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

5. Hearing to consider an amendment to Section 32-3-9 of the Zoning Map to rezone from P-0 to C-1, property located on the eastern corner of Third and I Streets. (Nguyen Sinh-Vien)

ACTION: By motion (McGrath/Sutton, unan.) Ord. 2648-C.S introduced.  
Res. 89-343 adopted (same vote) certifying review of Environmental  
Assessment. (Clerk/Planning to handle)

6. Hearing to consider an amendment to Section 9-3-10 of the Zoning Map to rezone a portion of P-D(359) to R-1, property located at 4300 Orangeburg Avenue. (Alfred Del Prato)

ACTION: By motion (McGrath/Sutton, unan.) Ord. No. 2649-C.S. introduced.  
(Clerk to handle)

7. Hearing to consider an amendment to Section 7-3-9 of the Zoning Map to rezone from P-0 to P-D(410) to allow a barbershop in addition to P-0 zone uses, property located on the north side of Standiford Avenue west of Shawnee Drive. (Merle Bledsoe)

ACTION: By motion (Muratore/McGrath, unan.) Ord. No. 2650-C.S. introduced.  
Res. 89-344 adopted (same vote) approving plan.  
Res. 89-345 adopted (same vote) certifying review of Environmental  
Assessment. (Clerk/Planning to handle)

8. Hearing to consider the appeal by Star Enterprises to a Planning Commission decision concerning rezoning property at the southeast corner of Coffee Road and Sylvan Avenue from R-3 to P-D for retail uses. (Hearing continued from the February 7, 1989, meeting.)

ACTION: By motion (Lang/Patterson, majority, Whiteside-no) Ord. No. 2651-C.S. introduced granting appeal.  
Res. 89-346 adopted (same vote) approving plan.  
Res. 89-347 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

#### BIDS

##### CONSENT

9. Consider approving specifications and authorizing call for bids to be opened March 14, 1989, at 3:20 p.m., for furnishing and installing two hydraulic rail lifts.  
(One lift is a replacement for one at the Corporation Yard which is unsafe to use. The second lift is to be installed in the Police Garage and is required for the ease of servicing Police vehicles. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$13,975. Funds are budgeted.)

ACTION: Res. 89-348 adopted calling for bids. (Finance to handle)

##### CONSENT

10. Consider approving specifications and authorizing call for bids to be opened March 14, 1989, at 3:10 p.m., for furnishing one new submersible pump and driver.  
(Requested by the Public Works Sewerage Division, this pump will help balance the critical water needs of the Remote Pond Site and insure adequate irrigation water delivery to the ranch property. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$35,000. Funds are budgeted.)

ACTION: Res. 89-349 adopted calling for bids. (Finance to handle)

##### CONSENT

11. Consider approving specifications and authorizing call for bids to be opened March 21, 1989, at 3:00 p.m., for printing brochures for Modesto Centre Plaza.  
(Requested by the Centre Plaza Division of Parks and Recreation, the printed four page brochures will describe the Plaza and be used to promote the Plaza's use in local and outside sales efforts for meetings, conventions, etc. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$15,000. Funds are budgeted.)

ACTION: Res. 89-350 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider approving plans and specifications and authorizing call for bids to be opened March 21, 1989, at 11:00 a.m., for the installation of a boiler at the Water Quality Control Plant.  
(City has previously purchased the boiler. This project consists of the construction necessary to install the boiler. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$96,620 (contract - \$91,620; eng. & cont. - \$5,000). Funds are budgeted.)

ACTION: Res. 89-351 adopted calling for bids. (P/W to handle)

CONSENT

13. Consider waiving formal bid procedures and authorizing the purchase of 18 pickup trucks and one van through the State of California Cooperative Purchasing Program for the total price of \$220,791.73.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-352 adopted waiving formal bids. (Finance to handle)

NEW BUSINESS

14. Consider the position paper on the turnkey process for the Modesto Surface Water Treatment Plant project and consider requesting the Modesto Irrigation District to be the lead agency for the project.  
(Memo with agenda. Resolution accepting the joint staff report to reject the turnkey process in favor of a conventional fast-track process, and resolution requesting M.I.D. to be the lead agency in the project needed.)

ACTION: Res. 89-353 adopted (Lang/Sutton, unan.) accepting joint staff report to reject turnkey process.  
Res. 89-354 adopted (same vote) requesting M.I.D. be lead agency.  
(P/W to handle)

Councilmember Muratore excused at 5:55 p.m.

15. Consider approval of Stanislaus County's recommendation concerning revision of tipping fees at the City/County Geer Road Landfill.  
(Memo with agenda. Resolution approving recommendation needed)

ACTION: Res. 89-355 adopted (Lang/Sutton, unan., Muratore absent) approving recommendation. (P/W to handle)

16. Consider request from the Stanislaus County Board of Supervisor for a contribution toward funding the San Joaquin Valley Wide Air Quality Study. (Memo with agenda. The County is requesting a contribution from the City of 50¢ per resident, for a total of \$72,261. Resolution approving contribution, and resolution approving appropriation transfer needed.)

ACTION: Res. 89-356 adopted (Lang/Whiteside, unan., Muratore absent) approving contribution, to be paid over three years.  
Res. 89-357 adopted (same vote) approving appropriation transfer.  
(Manager/Finance to handle)

CONSENT

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

ACTION: Res. 89-358 adopted approving application. (P/R to handle)

CONSENT

18. Consider request for water service to property outside City limits at 237 E. Whitmore Avenue, located on the north side of Whitmore Avenue between Crows Landing Road and Nickerson Avenue. Owners: C. L. Bryant, Inc.  
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City, but a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 89-359 adopted approving agreement. (P/W to handle)

CONSENT

19. Consider approval of the final map of Dry Creek Meadows No. 4 Subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.  
Subdividers: The William Lyon Company  
(The subdivision agreement has been signed and all fees paid. Dry Creek Meadows No. 4 is located west of Claus Road, south of M.I.D. Lateral No. 2. It contains 24.136 acres. Resolution approving the final map needed.)

ACTION: Res. 89-360 adopted approving the final map. (Clerk to handle)

CONSENT

20. Consider approval of the final map of Dry Creek Meadows No. 5 Subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.  
Subdividers: The William Lyon Company  
(The subdivision agreement has been signed and all fees paid. Dry Creek Meadows No. 5 is located west of Claus Road, south of M.I.D. Lateral No. 2. It contains 17.252 acres. Resolution approving the final map needed.)

ACTION: Res. 89-361 adopted approving the final map. (Clerk to handle)

CONSENT

21. Consider approval of the final map of Dry Creek Meadows No. 6 Subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.  
Subdividers: The William Lyon Company  
(The subdivision agreement has been signed and all fees paid. Dry Creek Meadows No. 6 is located west of Claus Road, south of M.I.D. Lateral No. 2. It contains 25.109 acres. Resolution approving the final map needed.)

ACTION: Res. 89-362 adopted approving the final map. (Clerk to handle)

CONSENT

22. Consider approval of the final map of Beacon Hill No. 2, Phase II Subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: Lawrie Development Company  
(The subdivision agreement has been signed and all fees paid. Beacon Hill No. 2, Phase II Subdivision is located at the southwest corner of Floyd and Roselle. It contains 10.088 acres. Resolution approving the final map needed.)

ACTION: Res. 89-363 adopted approving the final map. (Clerk to handle)

CONSENT

23. Consider approval of the final map of Park Valley Homes No. 2, Phase 2 Subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. Subdividers: R. J. Hill Company  
(The subdivision agreement has been signed and all fees paid. Park Valley Homes No. 2, Phase 2 Subdivision is located north of West Whitmore Avenue, east of Dallas Street. It contains 7.056 acres. Resolution approving the final map needed.)

ACTION: Res. 89-364 adopted approving the final map. (Clerk to handle)

CONSENT

24. Consider acceptance of improvements in Ashton Square Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Charles Duerner Construction.  
(Ashton Square Subdivision is located south of West Roseburg Avenue and east of Virginia 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. 89-365 adopted accepting improvements. (Clerk to handle)

CONSENT

25. Presentation of the monthly Treasurer's Report for January, 1989.  
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

26. Consider approving the transfer of \$1,500 from the surplus funds in the "Control Panel Lighting" account to the "Reroof Airport Administration Building" account to cover the additional cost of reroofing the Airport Administration building.  
(The low bid of \$5,903 exceeded the estimate of \$4,500. Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 89-366 adopted approving appropriation transfer.  
(Finance to handle)

27. Consider approving lease agreement between the City and Hendley-Skytrek Aviation Fuel, Inc., to construct a fuel farm at the Modesto City-County Airport.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-367 adopted (Sutton/Patterson, majority, McGrath-no, Muratore absent) approving agreement. (Attorney to handle)

CONSENT

28. Consider approving agreement with Modesto Reds Baseball Club, Inc., doing business as Modesto A's, for the use of John Thurman Field.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-368 adopted approving agreement. (Attorney to handle)

MISCELLANEOUS

Legislation

CONSENT

30. Staff recommends opposing SB 65 (Kopp), Proposition 65 -- Repeal of Public Agency Exemption.  
(Memo with agenda. Motion approving recommendation needed.)

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

Appointments

31. Consider appointments to the Landmark Preservation Commission.

ACTION: Res. 89-369 adopted (Irizarry/McGrath, unan., Muratore absent)  
appointing members to the Commission - Richard Barhite, Corinne  
Rowe, Dennis Smith, Allan Wooten, Bea Costa, and Buddy T. Iwata.  
(Clerk to handle)

32.

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

33. Closed session to discuss pending litigation, pursuant to Government Code Section 54956.9(a).

ADJOURNMENT

The meeting adjourned at 6:19 p.m. to closed session, then adjourned to the Third Floor Conference Room, City Hall, 801 11th Street, Modesto, for a study session concerning a public safety bond issue; and then to Friday, February 24, 1989, at 8:00 a.m., at Mallards Restaurant, 1700 McHenry Avenue, Modesto, for a meeting with Assemblyman Gary Condit to discuss State legislation.

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 6:30 p.m., February 21, 1989, in the third floor conference room, City Hall, Modesto, California, for a study session concerning public safety bonds.

Present: Councilmembers Irizarry, Lang, McGrath, Patterson, Sutton, Mayor Whiteside

ABSENT: Councilmember Muratore

Mayor Whiteside said she had talked with Supervisors Blom and Simon. Neither of them wanted to share a sales tax measure with the City of Modesto if they weren't sharing, too, with the other cities in the county. Mr. Lipsky said he had had the same response from County Administrator Rosenberg.

Councilmembers agreed on the need for additional Police and Fire facilities were needed at this time. Councilmember Lang felt sales tax is the most fair way to raise funds. Mr. Lipsky said a general obligation bond issue is the most economic method of financing the facilities. There was a discussion of an organization to promote the bond measure and possible election dates. An election could be held in June, 1989, and be conducted by mail, with Councilmembers being actively involved in the campaign. The matter will be discussed further at the Council retreat early in March and at the regular March 7, 1989, Council meeting.

Councilmember Lang was excused at 7:20 p.m.

The meeting adjourned at 7:30 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 adjourned session at 8:00 a.m., February 24, 1989, at Mallard's Restaurant, 1700 McHenry Avenue, Modesto, California, for a meeting with Assemblyman Gary Condit.

Present: Councilmembers Irizarry, Lang, Muratore, Patterson, Sutton, Mayor Whiteside

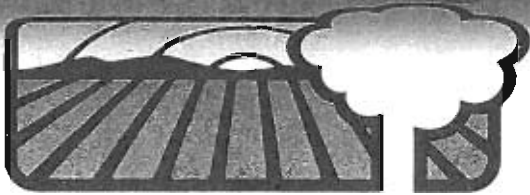
ABSENT: Councilmember McGrath

The City Council and staff discussed various pieces of State legislation with Assemblyman Condit.

Meeting adjourned at 9:50 a.m.

ATTEST:

  
\_\_\_\_\_  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

The Council of the City of Modesto met in special session at 7:00 p.m., February 28, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Sutton,  
Mayor Whiteside

Councilmember McGrath arrived at 7:05 p.m.  
Councilmember Irizarry arrived at 7:15 p.m.

Absent: Councilmember Patterson

The Council meeting adjourned at 7:02 p.m. to closed session to consider two separate personnel matters, pursuant to Government Code Section 54957.

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, FEBRUARY 28, 1989, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Charlie Crane, True Light Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 9, 10, 11, 15, 16, 17,  
18, 19, 20, 21, 24, 25

Removed from consent: 22

ACTION: (Lang/Sutton, 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.)

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of February 21, 1989, and the adjourned regular meeting of February 21, 1989. (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. Recommendation to City Council regarding City participation in the proposed County jail project. (Memo with agenda.)

ACTION: By motion (Lang/Sutton, unan.) staff was directed to finalize the agreement as recommended and return to the Council for final action. (Attorney to handle)

CONSENT

5. Final adoption of:
  - a. Ordinance No. 2645-C.S. amending the Modesto Municipal Code sections relating to sidewalk food vendors.
  - b. Ordinance No. 2646-C.S. amending the Modesto Municipal Code sections relating to removal of weeds, rubbish, and debris.
  - c. Ordinance No. 2647-C.S. amending the Modesto Municipal Code sections relating to limitations on contributions in the week preceding election.
  - d. Ordinance No. 2648-C.S. amending the Zoning Map to rezone from P-0 to C-1, property located on the eastern corner of Third and I Streets. (Nguyen Sinh-Vien)
  - e. Ordinance No. 2649-C.S. amending the Zoning Map to rezone a portion of P-D(359) to R-1, property located at 4300 Orangeburg Avenue. (Alfred Del Prato)
  - f. Ordinance No. 2650-C.S. amending the Zoning Map to rezone from P-0 to P-D(410) to allow a barbershop in addition to P-0 zone uses, property located on the north side of Standiford Avenue west of Shawnee Drive. (Merle Bledsoe)

(Motion adopting needed.)

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

## HEARINGS

6. Hearing to consider the Hatch Road No. 5 Reorganization, consisting of the annexation of the territory to the City of Modesto and the Modesto Municipal Sewer District No. 1, and detachment from the Industrial Fire Protection District.

ACTION: Res. 89-370 adopted (Muratore/Irizarry, unan.) annexing the Hatch Road No. 5 Reorganization. (Clerk to handle)

7. Hearing to consider an amendment to Section 27-3-9 of the Zoning Map to rezone from R-2 to P-D(30), as an addition to P-D(30), to allow a 272-space parking area, property located on the west side of Sunnyside Avenue south of Lucern Avenue. (Gould Medical Foundation)

ACTION: By motion (McGrath/Sutton, unan.) Ord. No. 2652-C.S. introduced.  
Res. 89-371 adopted (same vote) approving plan.  
Res. 89-372 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

8. Hearing to consider Stage One of the revised Capital Facilities Fees.

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2653-C.S. introduced.  
Res. 89-373 (same vote) approving the Capital Facilities Fees Reports as corrected.  
By motion (Lang/Sutton, unan.) the time schedule in Option 1, as recommended by the Committee, was approved.  
By motion (Sutton/Irizarry, unan.) staff was directed to study the costs of annexation and the pros and cons of Mello Roos financing. (Planning/Clerk to handle)

## BIDS

### CONSENT

9. Consider approval of plans and specifications and call for bids for the McHenry Mansion masonry wall.  
(Suggested bid opening: March 21, 1989, at 11:10 a.m. The installation of this masonry wall is part of the overall landscaping design at the Mansion. The masonry wall will separate the garden area from the parking lot. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$9,200 (contract - \$8,000; eng. & cont. - \$1,200). Funds are budgeted.)

ACTION: Res. 89-374 adopted calling for bids. (P/W to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for the installation of chain link fence in Bellinita Park.  
(Suggested bid opening: March 21, 1989, at 11:05 a.m. The placement of this fence will discourage vandalism and trash dumping that is a problem at this park site. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$13,525 (contract - \$12,295; eng. & cont. - \$1,230). Funds are budgeted.)

ACTION: Res. 89-375 adopted calling for bids. (P/W to handle)

CONSENT

11. Consider waiving formal bid procedures and authorize the Purchasing Officer or his designee to purchase two used vehicles, to be used as detective cars, from a Wholesale Dealer's Auction.  
Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Estimated cost: \$22,000. Funds are budgeted.)

ACTION: Res. 89-376 adopted waiving formal bid procedures. (Finance to handle)

NEW BUSINESS

12. Consider establishing a Citizens' Advisory Committee to complete the Fire Department Master Planning process.  
(Memo with agenda. Resolution establishing Citizens' Advisory Committee needed.)

ACTION: Res. 89-377 adopted (McGrath/Irizarry, unan.) (Fire/Clerk to handle)

14. Consider revision to the City's financial assistance policy.  
(Memo with agenda. Resolution rescinding Resolution 84-250 and approving the revised policy.)

ACTION: Res. 89-378 adopted (Lang/Irizarry, unan.) revising City's financial assistance policy. (Finance to handle)

CONSENT

15. Consider request for sewer service to property outside City limits at 932 California Avenue, located on the south side of California between Emerald Avenue and M.I.D. Lateral No. 5. Owners: Claude W. and Kelly A. Haugen.  
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. 89-379 adopted approving agreement. (P/W to handle)

CONSENT

16. Consider acceptance of an Amended State Grant offer for the Water Quality Control Treatment Plant improvement project (Units 2 and 3)  
(An administrative amendment to the State Grant is necessary to allow use of project contingency monies for claims assessment and negotiation costs. Memo with agenda. Resolution accepting the Amended State Grant offer and authorizing the City Manager to execute the offer on behalf of the City. Estimated cost: \$49,959,000 (City share - \$5,959,088, unchanged). Funds are budgeted.)

ACTION: Res. 89-380 adopted accepting grant offer. (P/M to handle)

CONSENT

17. Consider authorizing the City Manager to sign an agreement with Pacific Bell granting a right-of-way easement at Beyer Community Park for communications equipment.  
Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-381 adopted approving agreement. (P/R to handle)

CONSENT

18. Consider increasing the Petty Cash Revolving Fund by \$100 and authorizing the transfer of \$100 from the General Fund to the Petty Cash Revolving Fund.  
(Memo with agenda. Resolution approving transfer needed.)

ACTION: Res. 89-382 adopted approving transfer. (Finance to handle)

CONSENT

19. Consider entering into an agreement with Lew-Garcia-Davis to provide a needs analysis study of automated mapping/data base management system.  
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$6,420. Funds are budgeted.)

ACTION: Res. 89-383 adopted approving agreement. (P/M to handle)

CONSENT

20. Consider request for refund of \$5,000 for overpayment of Business License tax by Doctors Medical Center - Hospital.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 89-384 adopted approving refund. (Finance to handle)

CONSENT

21. Consider recommendation of the International Friendship Committee to discontinue Barranquilla, Colombia, as a Sister City.  
(Letter from John Bree, Chairman of the International Friendship Committee, with agenda. Motion approving recommendation needed.)

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

22. Consider acknowledging receipt of report to the Mayor and City Council on requests for funding under the 1989-90 Community Development Block Grant application.

(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (McGrath/Irizarry, unan.) receipt of report acknowledged.

22A. Consider renewal of property insurance and boiler & machinery insurance for the Modesto Centre Plaza, February 5, 1989 - February 5, 1990.

(Memo with agenda. Resolution accepting bid from Kemper Insurance needed. Estimated cost: \$15,614.60. Funds are budgeted.)

ACTION: Res. 89-385 adopted (Lang/Irizarry, unan.) (Atty to handle)

#### WRITTEN COMMUNICATIONS

23. Letter from A. E. Carrade and P. G. Hagerty, Resource Development, concerning a proposed plan for the College West area.

ACTION: By motion (Lang/Irizarry, unan.) letter referred to staff for study and report to Council on March 21, 1989. (Planning to handle)

#### CONSENT

24. Letter from Veronika Opinski resigning from the International Friendship Committee.

(Resolution accepting resignation with regret needed.)

ACTION: Res. 89-386 approved accepting resignation. (Clerk to handle)

#### MISCELLANEOUS

##### Legislation

#### CONSENT

25. Consider staff recommendation that Council seek Legislators' support of clean-up legislation regarding Public Employees' Retirement System interpretation of AB 839, Chapter 1411, Statutes 1987.

(Memo with agenda. Motion approving recommendation needed.)

ACTION: By motion, recommendation approved. (Manager 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 9:45 p.m. to March 3, 1989, at 3:00 p.m. at the Murphys Hotel, Murphys, California, for a City Council Retreat to study City problems and priorities.

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 7, 1989, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 9, 10, 11, 12, 13,  
15, 16, 17, 19, 20, 22

Removed from consent: 14, 18

ACTION: (Lang/Sutton, 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.)

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Whiteside introduced Deputy City Manager Paul Baxter.

MINUTES

CONSENT

2. Approval of the minutes of the City Council's adjourned regular meeting of February 24, the special meeting of February 28, and the regular meeting of February 28, 1989.  
(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.)

Charles Young spoke about the need for evening bus service.

UNFINISHED BUSINESS

4. Discussion of public safety bond issue, determination of need for issuance of general obligation bond, and ordering a general bond obligation election.  
(Resolution of determination of need and ordinance ordering submission of general obligation bond proposition to the voters needed.)

ACTION: Res. 89-387 adopted (Lang/Sutton, majority, McGrath-no) determining need, with election to be conducted by mail.  
By motion (same vote) Ord. No. 2654-C.S. introduced ordering submission of general obligation bond proposition to the voters.  
(Atty/Clerk to handle)

6. Final adoption of Ordinance No. 2651-C.S. rezoning from R-3 to P-D(461) property located on the southeast corner of Coffee Road and Sylvan Avenue. (Star Enterprises)  
(Motion adopting needed.)

ACTION: By motion (McGrath/Lang, majority, Whiteside-no) Ord. No. 2651-C.S. adopted. (Clerk to handle)

CONSENT

7. Final adoption of:

- a. Ordinance No. 2652-C.S. rezoning from P-2 to P-D(30), as an addition to P-D(30), property located on the west side of Sunnyside Avenue south of Lucern Avenue. (Gould Medical Foundation)
- b. Ordinance No. 2653-C.S. amending the Modesto Municipal Code relating to Capital Facilities Fees.

(Motion adopting needed.)

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

HEARINGS

8. Hearing to consider an amendment to Section 30-3-9 of the Zoning Map to prezone to P-0 property located on the southwest corner of Kansas Avenue and Carpenter Road. (Glenn Montgomery)

ACTION: By motion (McGrath/Patterson, unan.) Ord. No. 2655-C.S. introduced. Res. 89-388 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

9. Consider approving specifications and authorize call for bids to be opened March 28, 1989, at 3:00 p.m. for the purchase of two copy machines. (As approved in the 1988-89 Capital Improvement Program, these are replacement copiers for the City Hall. The current machines have been too costly to keep in good repair and the quality is poor. Resolution approving specifications and calling for bids needed. Estimated cost: \$30,000. Funds are budgeted.)

ACTION: Res. 89-389 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider declaring Mo-Cal Office Equipment of Modesto low bidder meeting City specifications and authorize the lease of a copy machine for the Housing Program Office, and authorizing the City Manager to sign a leasing agreement. (Resolution awarding bid and approving leasing agreement needed. Estimated cost: 1988-89 - \$1,600; 1989-90 - \$3,498; 1990-91 - \$3,498; 1991-92 - \$2,332. Funds are budgeted.)

ACTION: Res. 89-390 adopted awarding bid to Mo-Cal Office Equipment. (Finance to handle)

CONSENT

11. Consider award of contract to Pacific Engineering Construction for the water supply for the sludge thickeners at the Water Quality Control Plant. (Bids were opened on February 28, 1989. The low bid of \$84,849, submitted by Pacific Engineering Construction, is considered acceptable, and it is recommended that the project be awarded to the low bidder. Memo and bid tabulation with agenda. Resolution awarding contract to Pacific Engineering Construction needed. Estimated cost: \$93,334 (contract \$84,849; \$8,485 engineering & cont.). Funds are budgeted.)

ACTION: Res. 89-391 adopted awarding contract. (P/W to handle)

NEW BUSINESS

CONSENT

12. Consider revising the Modesto Municipal Code relating to the definition of water waste. (Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2656-C.S. introduced. (Clerk to handle)

CONSENT

13. Consider amending Resolution Nos. 88-490, 88-491, and 88-494 establishing ranges, salary schedules and fixing compensation for positions in the City service. (Memo with agenda. Three resolutions amending salary ranges, salary schedules and fixing compensation for positions in the City service needed.)

ACTION: Res. 89-392 adopted amending Res. No.s 88-490, 88-491 and 88-494, to incorporate changes in salary ranges, schedules and compensation.

Res. 89-393 adopted clarifying the executive management compensation for the City Manager, City Attorney and City Clerk.

Res. 89-394 adopted causing a five percent salary adjustment for the City Attorney. (Manager to handle)

14. Report on the operations of Dryden and Muni Golf Courses for the seven months ended January 31, 1989, and resolution amending the Annual Budget to appropriate estimated costs for insurance, water, and indirect costs. (Memo with agenda. Motion accepting report and resolution amending the budget for 1988-89 needed. Estimated cost: \$153,000.)

ACTION: By motion, (Patterson/Irizarry, unan.) this item was tabled until March 21, 1989. (Clerk to handle)

CONSENT

15. Presentation of Monthly Treasurer's Report for February, 1989.  
(Copies of report with agenda. Motion acknowledging report.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

16. Consider amending the Final Statement of Community Development Objectives by approving an agreement for services with the Hispanic Chamber of Commerce, not to exceed \$44,850, to provide a Contract Procurement Center, under the Economic Development line item of the 1988-89 fiscal year Community Development Block Grant program, per the recommendation of the Citizens Housing & Community Development Committee.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-395 adopted approving agreement. (Planning to handle)

CONSENT

17. Consider amending the Final Statement of Community Development Objectives by approving an agreement for services with the Hispanic Chamber of Commerce, not to exceed \$35,800, to establish a Business Assistance Center, per the recommendation of the Citizens Housing & Community Development Committee.  
(Memo with agenda. The Hispanic Chamber of Commerce has requested funding under the Economic Development line item in the 1988-89 fiscal year program. Resolution approving agreement needed.)

ACTION: Res. 89-396 adopted approving agreement. (Planning to handle)

18. Consider approving an agreement with the Westside Economic and Minority Alliance for funding the Job Opportunities in Business for Youth Program in the amount of \$54,600 from Community Development Block Grant funds, per the recommendation of the Citizens Housing & Community Development Committee.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-397 adopted (Patterson/McGrath, unan.) approving agreement.  
(Planning to handle)

CONSENT

19. Consider approving agreement with E. & J. Gallo Winery Corporation for lease of Hangar No. 6 at the Airport.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-398 adopted approving agreement. (Atty to handle)

CONSENT

20. Status report on and proposed adjustments to the 1988-89 Annual Budget.  
(Report with agenda. Resolution amending the 1988-89 Budget needed.)

ACTION: Res. 89-399 adopted amending budget. (Finance to handle)

WRITTEN COMMUNICATIONS

21. Letter from tenants in the Modesto Promenade Center, 3501 McHenry Avenue, concerning signs on McHenry and Standiford.

ACTION: By motion Muratore/McGrath, unan.) action was tabled for 60 days.  
(Planning to handle)

MISCELLANEOUS

Legislation

CONSENT

22. Staff recommends:

Support:

- a. AB 14 (Kelley) Motor Vehicle Fuel Tax
- b. AB 58 (Roybal-Allard) Municipal and Hazardous Waste Incineration Facilities
- c. SB 70 (L. Greene) Low Income Housing Credit
- d. HR 518 (Crane) Extension of Section 89 Implementation

Oppose:

- e. AB 160 (Mountjoy) Use of Eminent Domain by Redevelopment Agencies

Oppose, unless amended:

- f. SB 312 (Boatwright (Water Metering)

(Memos with agenda. Motion approving recommendation needed.)

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

23. 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 (Sutton/Muratore, unan.) it was determined that this matter arose after the agenda was prepared and needs to be discussed. By motion (Lang/Irizarry, unan.) the groups recommended to be represented on the Charter Review Committee were approved.

(Attorney to handle)

By motion (Patterson/McGrath, unan.) it was determined that this matter arose after the agenda was prepared and needs to be discussed. Councilmember Sutton invited the public to a Recycling Reception at the Centre Plaza on Thursday evening at 5:00 p.m.

CLOSED SESSION

24. Closed session to discuss pending litigation, pursuant to Government Code Section 54956.9(b).

ADJOURNMENT

This meeting adjourned at 5:57 p.m. to closed session and then to March 13 and March 14, 1989, in Washington, D. C., to meetings with Congressman Tony Coelho, and the legislative staffs of Senator Alan Cranston and Senator Pete Wilson, to discuss various federal legislation.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 14, 1989, AT 7:30 P.M.

## NOTICE

THERE WILL BE NO MEETING OF THE CITY COUNCIL  
ON TUESDAY, MARCH 14, 1989  
DUE TO LACK OF A QUORUM.

THE NEXT CITY COUNCIL MEETING WILL BE HELD ON  
TUESDAY, MARCH 21, 1988,  
AT 4:00 P.M.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

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

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 21, 1989, AT 4:00 P.M.

Roll Call - Present: Councilmembers Irizarry, Lang, McGrath, Muratore,  
Patterson, Mayor Whiteside  
Councilmember Muratore arrived at 4:54 p.m.

Absent: Councilmember Sutton

Pledge of allegiance to the Flag

Invocation: Rev. Dwight Horton, Free Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 8, 10, 11, 12, 13, 14,  
15, 16, 18, 19, 20, 21, 22,  
24, 25, 26, 27, 28, 29, 30, 31, 32,  
33, 34, 35, 36, 37, 38, 39, 40, 42,  
43, 44

Dropped from agenda: 17

Removed from Consent: 23

ACTION: (Irizarry/Lang, unan., Muratore and Sutton 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 regular City Council meeting of March 7, 1989.  
(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. Report on the operations of Dryden and Muni Golf Courses for the seven months ended January 31, 1989, and resolution to amend the Annual Budget to appropriate estimated costs for insurance, water, and indirect costs. (This item was continued from the March 7, 1989, meeting.)  
(Motion accepting report and resolution amending the budget for 1988-89 needed. Estimated cost: \$153,000.)

ACTION: By motion (Lang/Whiteside, unan., Muratore and Sutton absent) report accepted, and staff directed to report further on water usage.

Res. 89-400 adopted (same vote) amending budget.  
(P/R and Finance to handle)

5. Report on conflict of interest in connection with Housing Program loans, as requested by Mayor Whiteside.

ACTION: By motion (McGrath/Lang, unan., Muratore and Sutton absent) recommendation concerning the method of determining eligibility for loans to City officials and employees was approved.  
(Atty/Planning to handle)

CONSENT

6. Report on the proposal by Resource Development at the February 28, 1989, City Council meeting, to revise the plan for the College West area. (A representative of Resource Development has requested that this item be continued to April 11. Motion continuing the item to April 11, 1989, at 7:30 p.m. needed.)

ACTION: By motion, this item continued to April 11, 1989, at 7:30 p.m.  
(Clerk to handle)

7. Consider directing City Clerk to submit a copy of the proposed safety general obligation bond measure to the City Attorney for preparation of an impartial analysis of the measure. (A safety general obligation bond measure is being submitted to the voters at a June 6, 1989, election. Memo with agenda. Resolution transmitting a copy of the measure to the City Attorney for impartial analysis needed.)

ACTION: Res. 89-401 adopted (Irizarry/Whiteside, majority, McGrath-no, Muratore and Sutton absent)  
(Clerk to handle)

CONSENT

8. Final adoption of:

- a. Ordinance No. 2655-C.S. amending the Zoning Map to prezone to P-0 property located at the southwest corner of Kansas Avenue and Carpenter Road (Glenn Montgomery).
- b. Ordinance No. 2656-C.S. amending the Modesto Municipal Code relating to the definition of water waste.

(Motion adopting needed.)

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

HEARINGS

9. Hearing to consider an amendment to Section 31-3-9 of the Zoning Map to rezone from R-3 to P-D(463) to allow a zero lot line development, property located on the south side of Briggs, west of Spencer Street. (P & R Enterprises)

ACTION: By motion (Lang/Irizarry, unan., Muratore and Sutton absent) Ord. No. 2657-C.S. introduced.  
Res. 89-402 adopted (same vote) approving plan.  
Res. 89-403 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

BIDS

CONSENT

10. Consider approving specifications and authorize call for bids to be opened April 11, 1989, at 3:00 p.m. for furnishing and installing panel wall system and desks in the Police Department.  
(Requested by the Police Department, the panel wall system and desks will provide functional organized work areas in the Records area at the Police Department. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$20,000. Funds are budgeted.)

ACTION: Res. 89-404 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider award of contract for the Muncy Park, Lakewood Park and Sipherd Park lighting to Richard A. Heaps Electrical, Inc.  
(Bids were opened February 28, 1989. The low bid of \$22,397.50, submitted by Richard A. Heaps Electrical, Inc., is 35.04% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Richard A. Heaps Electrical, Inc. Memo and bid tabulation with agenda. Resolution awarding contract needed. Estimated cost: \$24,637.25 (contract \$22,397.50; engineering & cont. \$2,239.75). Funds are budgeted.)

ACTION: Res. 89-405 adopted awarding contract. (P/W to handle)

CONSENT

12. Consider declaring Dow Hammond Inc. low bidder and authorizing the purchase of one pickup truck with utility body.  
(Memo with agenda. Resolution declaring Dow Hammond Inc. low bidder needed. Resolution awarding bid needed. Estimated cost: \$24,618. Funds are budgeted.)

ACTION: Res. 89-406 adopted awarding bid. (Finance to handle)

CONSENT

13. Consider declaring Bauer Compressors (S.F.) low bidder and authorizing the purchase of one breathing system.  
(Memo with agenda. Resolution awarding bid needed. Estimated cost: \$36,265.59 (\$18,132.80 FY 1988-89; \$18,132.79 FY 1989-90). Funds are budgeted.)

ACTION: Res. 89-407 adopted awarding bid. (Finance to handle)

CONSENT

14. Consider a request by C.W. Roen Construction Company for a reduction in retention on the Fixed Film Reactor No. 3 Project.  
(The project is substantially complete, except for a technical report required by the contract. It is appropriate that the City reduce the retention to the minimum allowable level. Memo with agenda. Resolution finding the project substantially complete and reducing retention to 2 1/2% of the work completed needed.)

ACTION: Res. 89-408 adopted reducing retention. (P/W to handle)

CONSENT

15. Consider waiving formal bid procedure and authorize the purchase of emergency water pump repair services from Mid-Cal Pump.  
(Memo with agenda. Resolution waiving formal bid procedures needed. (Five affirmative votes needed.) Estimated cost: \$7,837. Funds are budgeted.)

ACTION: Res. 89-409 adopted waiving formal bid procedure. (Finance to handle)

CONSENT

16. Consider waiving formal bid procedure and authorizing payment to Hi-Tech Emergency Vehicle Service for Fire Engine emergency repair services.  
(Memo with agenda. Resolution waiving formal bid procedure needed. (Five affirmative votes needed.) Estimated cost: \$7,817. Funds are budgeted.)

ACTION: Res. 89-410 adopted waiving formal bid procedure. (Finance to handle)

CONSENT

17. Consider waiving formal bid procedure and award a two year contract to provide lighting and sound services for the Centre Plaza to West Coast Sound & Light, and authorizing the City Manager to sign the agreement.  
(Memo with agenda. (Five affirmative votes needed. Resolution waiving bid and approving agreement needed.)

Dropped from agenda.

CONSENT

18. Consider acceptance of Grover Landscaping's contract for the McHenry Mansion landscaping, Phase I. Original contract: \$35,698.  
(All work on this project has been completed to the satisfaction of the Public Works & Transportation Department and the Parks & Recreation Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$37,036.27. Funds are budgeted.)

ACTION: Res. 89-411 adopted accepting work as complete. (Clerk to handle)

CONSENT

19. Consider acceptance of Conco West, Inc.'s contract for rockwell relocation at Well Nos. 27 and 43. Original contract and final cost: \$9,750.  
(All work on this project has been completed to the satisfaction of the Public Works & 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. Funds are budgeted.)

ACTION: Res. 89-412 adopted accepting work as complete. (Clerk to handle)

NEW BUSINESS

CONSENT

20. Consider authorizing the hiring of three Police Officers and approving an appropriation transfer to provide financing.  
(Memo with agenda. Motion approving the hiring of three Police Officers, and resolution approving an appropriation transfer needed. Estimated cost: \$33,577.)

ACTION: By motion, hiring of three police officers approved.  
Res. 89-413 adopted approving appropriation transfer.  
(Police/Finance to handle)

CONSENT

21. Consider approving an agreement with J. W. McClenahan Co. for the use of the former Strand Theater site.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-414 adopted approving agreement. (Attorney to handle)

CONSENT

22. Consider excusing Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, and Mayor Whiteside for being absent from the March 14, 1989, City Council meeting due to their attendance at the Congressional-Cities Annual Conference.  
(Motion excusing absences needed.)

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

23. Consider hiring Mercer Meidinger and Hansen to study City health care plan and to perform necessary testing to comply with Section 89 of the Internal Revenue Code.  
(Memo with agenda. Resolution approving agreement and resolution approving appropriation transfer needed. Estimated cost: \$46,500.)

ACTION: Res. 89-415 adopted (McGrath/Patterson, unan., Muratore and Sutton absent) agreement approved.  
Res. 89-416 adopted (same vote) approving appropriation transfer.  
(Manager and Finance to handle)

CONSENT

24. Consider authorizing the City Manager to sign an application for \$30,000 in funding under the Federal Land and Water Conservation Fund for security lighting along a portion of the pedestrian/bicycle trail in Dry Creek Park.  
(Memo with agenda. Resolution approving application and authorizing City Manager to sign needed.)

ACTION: Res. 89-417 adopted approving application. (P/R to handle)

CONSENT

25. Consider approving agreement with Dominic DePalma for the lease of a portion of the former McClure property.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-418 adopted approving agreement. (Attorney to handle)

CONSENT

26. Set date for public hearing on amendments, additions, and deletions to the Sign Code Regulations pertaining to height limitations on wall signs. (On March 6, 1989, the Planning Commission adopted Resolution No. 89-29 recommending to the City Council Sign Code text amendments, additions, and deletions pertaining to height limitations on wall signs. Resolution setting date for public hearing for April 11, 1989 at 7:30 p.m. needed.)

ACTION: Res. 89-419 adopted setting hearing. (Clerk to handle)

CONSENT

27. Consider Nonmotorized Fund application to SAAG regarding the Hetch-Hetchy bike path.  
(Two percent of the Local Transportation Fund is set aside annually for nonmotorized projects. The Hetch-Hetchy bike path is an authorized project. This application involves the first phase of the project from Sisk Road to Prescott Road along the Hetch Hetchy rights-of-way. Resolution approving application to SAAG for nonmotorized funds needed.)

ACTION: Res. 89-420 adopted approving application to SAAG. (Planning to handle)

CONSENT

28. Consider annual approval of City's current investment policy required by State law.  
(Memo with agenda. Motion approving the City's current investment policy needed.)

ACTION: By motion, current investment policy approved. (Finance to handle)

CONSENT

29. Consider authorizing City Manager to sign reimbursement agreement with Kaufman and Broad for installation of a storm drain trunk line at Park Valley Homes Subdivision No. 2.  
(Park Valley Homes No. 2 is located on Whitmore Avenue between Crows Landing Road and Ustick Road. The developer has requested permission to install City's storm drain trunk line in order to reduce time delays. An agreement is needed to allow reimbursement for construction costs. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$28,533. Funds are budgeted.)

ACTION: Res. 89-421 adopted approving agreement. (P/W to handle)

CONSENT

30. Consider request for water service to property outside City limits at 4620 McHenry Avenue, located on the east side of McHenry Avenue, between MID Lateral No. 6 and Kiernan Avenue. Owners: Kevin and Maureen Sosinsky.  
(The property owners have signed an agreement to annex when requested to do so by the City. The property is not contiguous to the City. A waterline exists to serve the property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 89-422 adopted approving agreement. (P/W to handle)

CONSENT

31. Consider request for water service to property outside City limits at 4401 McHenry Avenue, located on the west side of McHenry Avenue, between Bangs Avenue and Kiernan Avenue. Owners: Lynn H. and Carole Stinson.  
(The property owners have signed an agreement to annex when requested to do so by the City. The property is not contiguous to the City. A waterline exists to serve the property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 89-423 adopted approving agreement. (P/W to handle)

CONSENT

32. Consider approval of the final map of Jaed 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: Turner-Edwards Development.  
(The subdivision agreement has been signed and all fees paid. Jaed Estates is located south of Rouse Avenue, east of Wade Avenue. It contains 7.287 acres. Resolution approving the final map needed.)

ACTION: Res. 89-424 adopted approving final map. (Clerk to handle)

CONSENT

33. Consider approval of the final map of Park Valley Homes Phase 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: R.J. Hill Company.  
(The subdivision agreement has been signed and all fees paid. Park Valley Home Phase 3 is located north of West Whitmore Avenue, west of Dallas Street. It contains 10.5612 acres. Resolution approving the final map needed.)

ACTION: Res. 89-425 adopted approving final map. (Clerk to handle)

CONSENT

34. Consider approval of the final map of Mariposa Square Unit 1 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. Mariposa Square Unit 1 is located east and west of Mariposa Road, between Yosemite Boulevard and Clogston Way. It contains 4.017 acres. Resolution approving the final map needed.)

ACTION: Res. 89-426 adopted approving final map. (Clerk to handle)

CONSENT

35. Consider approval of the final map of Country Ranch 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: CLS Investments.  
(The subdivision agreement has been signed and all fees paid. Country Ranch No. 3 is located between Merle Avenue and MID Lateral No. 3, East of Oakdale Road. It contains 27.186 acres. Resolution approving the final map needed.)

ACTION: Res. 89-427 adopted approving final map. (Clerk to handle)

CONSENT

36. Consider approval of the final map of Country Ranch 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: CLS Investments.  
(The subdivision agreement has been signed and all fees paid. Country Ranch No. 4 is located between Merle Avenue and MID Lateral No. 3, East of Oakdale Road. It contains 12.168 acres. Resolution approving the final map needed.)

ACTION: Res. 89-428 adopted approving final map. (Clerk to handle)

CONSENT

37. Consider renewal of Transit Liability Insurance with Carolina Casualty Insurance.  
(Memo with agenda. Resolution approving insurance renewal for policy period 3/1/89 - 3/1/90 needed. Estimated cost: \$189,617. Funds are budgeted.)

ACTION: Res. 89-429 adopted approving insurance renewal.  
(Attorney to handle)

CONSENT

38. Consider renewal of Airport Liability Insurance Policy with IRIS, Ltd.  
(Memo with agenda. Resolution approving insurance renewal of Airport Liability Insurance Policy with IRIS, Ltd./Lloyd's of London for policy period 3/1/89 - 3/1/90 needed. Estimated cost: \$16,753.75. Funds are budgeted.)

ACTION: Res. 89-430 adopted approving insurance renewal.  
(Attorney to handle)

CONSENT

39. Consider renewal of the Municipal Errors and Omissions Policy for Tuolumne River Regional Park.  
(Memo with agenda. Resolution approving renewal of Municipal Errors and Omissions Policy for Tuolumne River Regional Park with American Empire Surplus Lines for policy period 2/27/89 - 2/27/90 needed. Estimated cost: \$4,141.25. Funds are budgeted.)

ACTION: Res. 89-431 adopted approving insurance renewal.  
(Attorney to handle)

CONSENT

40. Consider purchase of all-risk insurance for Fire-Fighting Equipment.  
(Memo with agenda. Resolution approving purchase of all-risk insurance policy for fire-fighting equipment from Fred S. James & Company for policy period 4/1/89 - 4/1/90 needed. Estimated cost: \$44,650. Funds are budgeted.)

ACTION: Res. 89-432 adopted approving all-risk insurance coverage.  
(Attorney to handle)

WRITTEN COMMUNICATIONS

41. Letter from Frank B. Cannon concerning City utility bills.

By order of the Chair, the request was referred to staff for report and recommendation.  
(finance to handle)

CONSENT

42. Letter from Richard Barhite, President of the McHenry Museum & Historical Society, and letter from Milda Laukkanen, Central California Art League Gallery Chairman, concerning space at the McHenry Museum.  
(Motion referring to staff for recommendation needed.)

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

CONSENT

43. Letter from the Downtown Improvement District Parking and Transportation Committee concerning a parking district in the downtown area.  
(Motion referring to staff needed.)

ACTION: By motion, letter referred to staff for recommendation.  
(Manager/Planning to handle)

MISCELLANEOUS

Legislation

CONSENT

44. Staff recommends support of:
- a. ACA 1 (McClintock) Mandated Local Costs - Requirement for State to Appropriate Funds in Advance
  - b. AB 55 (Hansen) Motorcycle Safety
  - c. SB 63 (Beverly) Extension of Local Sales Tax Authority to all Redevelopment Agencies.

Staff recommends opposition to:

- d. SB 89 (Torres) Peace Officers - Cancer Presumption for Workers' Compensation
- e. AB 498 (Polanco) Mandatory Use of Alternative Financing Before Tax Increment - Redevelopment
- f. S 210 (Moynihan) Mandatory Social Security for State and Local Employees.

(Memo with agenda. Motion approving staff recommendations needed.)

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

Appointments

45. Charter Review Committee

ACTION: Res. 89-433 adopted (Lang/Muratore, unan., Sutton absent) appointing the following people to the Charter Review Committee:  
L.F.(Bud)Gianelli (Chairman), Linda Avedon, Maria Basulto, Charles Bird, Robert Ford, Mike Garcia (Alternate: Miguel Donoso), Manuel Gonsalves, Ellen Herod, Jason Kimbrough, Art Martin, Becky McClure, Jim McCormick, Preston Oliver, Karen Puccinelli (Alternate: Carolyn Steinbeck) and Richard Rozenblad. (Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

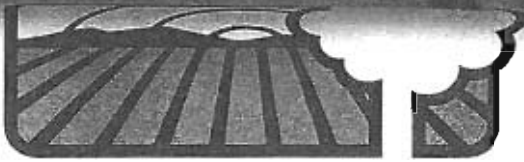
46. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 5:09 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., March 28, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson,  
Mayor Whiteside

Absent: Councilmember Sutton

The meeting adjourned at 7:17 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 28, 1989, AT 7:30 P.M.

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

Absent: Councilmember Sutton

Pledge of allegiance to the Flag

Invocation: Rev. Lee Heim, Trinity Presbyterian Church

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

Removed from consent: 20A

ACTION: (Lang/Irizarry, unan., Sutton 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

Presentation of Mayor's Proclamation concerning National Community Development Week.

Mayor Whiteside presented the proclamation to Bill Hallissey, Housing Program Officer.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of March 21, 1989.  
(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. Discussion of the argument in favor of Measure S.

ACTION: By motion (Lang/Muratore, unan., Sutton absent) it was agreed that the Council would not file an argument on Measure S.

5. Consider accepting staff report regarding completion of Curbside Recycling Pilot Study and update on Recycling Program, as requested at the February 7, 1989, Council meeting.  
(Memo with agenda. Motion accepting report needed.)

ACTION: By motion (McGrath/Patterson, unan., Sutton absent) report accepted.

CONSENT

6. Final adoption of Ordinance No. 2657-C.S. amending the Zoning Map to rezone from R-3 to P-D(463) property located on the south side of Briggs Avenue, west of Spencer Avenue. (P & R Enterprises)  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2657-C.S. adopted. (Clerk to handle)

HEARINGS

7. Hearing to consider an amendment to Section 8-4-9 of the Zoning Map to rezone from R-1 to P-D(462) to allow a townhouse apartment development, property located on the southeast corner of Hatch Road and Boise Avenue. (Arambel & Rose)

ACTION: By motion (McGrath/Patterson, unan., Sutton absent) Ord. No. 2658-C.S. introduced.  
Res. 89-434 adopted (same vote) approving plan.  
Res. 89-435 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 the reconstruction of the Revard Park basketball court. (Suggested bid opening: April 18, 1989, at 11:00 a.m. The work consists of earthwork, resurfacing and concrete curbs and retaining slabs associated with the reconstruction of the basketball court at Revard Park. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$23,100 (contract - \$21,000; eng. & cont. - \$2,100). Funds are budgeted.)

ACTION: Res. 89-436 adopted calling for bids. (P/W to handle)

CONSENT

9. Consider rejecting the bid received for furnishing one new submersible pump and driver and authorize a call for new bids to be opened April 18, 1989, at 3:05 p.m. (Memo with agenda. Resolution rejecting all bids and authorizing new call for bids needed. Estimated cost: \$35,000. Funds are budgeted.)

ACTION: Res. 89-437 adopted rejecting all bids and authorizing new call for bids. (Finance to handle)

CONSENT

10. Consider rejecting all bids received for furnishing infrared hearing augmentation system and authorize a call for new bids to be opened April 18, 1989, at 3:00 p.m. (Memo with agenda. Resolution rejecting all bids and authorizing new call for bids needed. Estimated cost: \$28,000. Funds are budgeted.)

ACTION: Res. 89-438 adopted rejecting all bids and authorizing new call for bids. (Finance to handle)

CONSENT

11. Consider award of contract for the boiler replacement at the Water Quality Control Plant to B & L Builders, Inc.  
(Bids were opened March 21, 1989. The low bid of \$94,244, submitted by B & L Builders, Inc., is 2.86% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to B & L Builders, Inc. Memo and bid tabulation with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 89-439 adopted awarding contract. (P/W to handle)

CONSENT

12. Consider award of contract for the Bellenita Park chain link fence to Continental Fence Co.  
(Bids were opened March 21, 1989. The low bid of \$8,012.80, submitted by Continental Fence Co. is 34.8% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Continental Fence Co. Memo and bid tabulation with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 89-440 adopted awarding contract. (P/W to handle)

CONSENT

13. Consider waiving formal bid procedures and authorize the purchase of tree injecticide from Target Specialty Products for \$18,162.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmation votes needed.) Estimated cost: 1988-89 - \$8,975; 1989-90 - \$9,187. Funds are budgeted.)

ACTION: Res. 89-441 adopted waiving formal bid procedure. (Finance to handle)

NEW BUSINESS

CONSENT

14. Consider approval of the final map of The Commons 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: Summerview Associates.  
(The subdivision agreement has been signed and all fees paid. The commons is an airspace condominium subdivision located at the southwest corner of Standiford Avenue and Carver Road. It contains 4.334 acres. Resolution approving the final map needed.)

ACTION: Res. 89-442 adopted approving final map. (Clerk to handle)

CONSENT

15. Consider changing the method of recommending students to the City Council for appointment to the Youth Commission.  
(Memo with agenda. Resolution establishing method and rescinding Resolution No. 86-1369 needed.)

ACTION: Res. 89-443 adopted establishing method and rescinding Resolution No. 86-1369. (P/R to handle)

CONSENT

16. Consider authorizing the City Manager to sign an agreement with Modesto Irrigation District granting a right-of-way easement at Geer Road Landfill for maintaining electrical service lines.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-444 adopted approving agreement. (P/W to handle)

CONSENT

17. Consider request of property owner at 573 Crows Landing Road, Benson's Auto Dismantling, to supersede City Council Resolution No. 86-1 and enter into an agreement authorizing the continued use of the existing private water well.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-445 adopted approving agreement. (P/W to handle)

CONSENT

18. Consider approving an appropriation transfer of \$112,100 from the Sewer Fund Contingency Reserve.  
(Funds are needed for taxes on the Hailwood property. Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 89-446 adopted approving appropriation transfer. (Finance to handle)

CONSENT

19. Consider postponing loan payments for Center for Human Services-Hutton House until the new home for runaway children is completed and occupied, from April 1, 1989, to August 1, 1989, per the recommendation of the Citizens Housing and Community Development Committee.  
(Memo with agenda. Hutton House is paying rent on a temporary house and requests postponement of loan payments until the new shelter is completed and occupied. Resolution authorizing amendment of promissory note between Center for Human Services and City of Modesto needed.)

ACTION: Res. 89-447 adopted authorizing amendment of promissory note. (Planning to handle)

CONSENT

20. Consider approving funding of \$165,000 from Community Development Block Grant funds for Parks and Recreation Department to provide handicapped accessibility to restrooms in City parks, per the recommendation of the Citizens Housing and Community Development Committee.  
(Memo with agenda. Parks and Recreation Department requested Community Development Block Grant funds to retrofit restrooms in five City parks for handicapped accessibility. Resolution approving funding and resolution approving an appropriation transfer needed.)

ACTION: Res. 89-448 adopted approving funding.  
Res. 89-449 adopted approving appropriation transfer.  
(Planning/Finance to handle)

- 20A. Consider authorizing the City Manager or Finance Director to conduct Interest Rate Exchange Transactions with Merrill Lynch Capital Markets.  
(Memo with agenda. Resolution authorizing City Manager or Finance Director to conduct Interest Rate Exchange Transactions needed.)

ACTION: Res. 89-450 adopted (Muratore/Patterson, unan., Sutton absent) accepting the report and authorizing the City Manager, or, in his absence, the Deputy City Manager, to conduct Interest Rate Transactions with Merrill Lynch Capital Markets.  
(Finance to handle)

WRITTEN COMMUNICATIONS

21. Letter from Grace Murphy concerning problems of the handicapped and elderly.

No action taken.

22. Letter from Kathy Jackson, President of the Modesto Chamber of Commerce, concerning a downtown site for the proposed Department of Social Services office building.

No action taken.

23. Letter from Janet B. Sharp, Vice President of the Granada Park Homeowners Association, concerning parking at the Riverside neighborhood park.

ACTION: By motion (McGrath/Muratore, unan., Sutton absent) receipt of report acknowledged and staff directed to look into the traffic impact in the area.  
(P/W and P/R to handle)

CONSENT

24. Letter from Anita Roselyn Adams resigning from the Affirmative Action Commission.  
(Resolution accepting resignation with regret needed.)

ACTION: Res. 89-451 adopted accepting resignation. (Clerk to handle)

MISCELLANEOUS

Legislation

CONSENT

25. Staff recommends support of:

- a. SCA 1 (Garamendi) concerning a change in measuring the cost of living for purposes of the Gann limit.
- b. SB 409 (Craven) California Main Street Program
- c. AB 363 (Bader) Fines & Forfeitures
- d. AB 452 (Wright) Billboards

(Motion approving recommendations needed.)

ACTION: By motion, recommendations approved.

(Manager to handle)

Appointments

26. Consider appointment to the International Friendship Committee.

ACTION: Res. 89-452 adopted (McGrath/Irizarry, unan., Sutton absent)  
appointing Donald Knies to the International Friendship Committee.

(Clerk to handle)

ADJOURNMENT

The meeting adjourned at 9:55 p.m. to Friday, March 31, 1989, at 8:00 a.m., at Modesto Centre Plaza, Magnolia Room, 1000 L Street, Modesto, California, for a meeting with Senator Dan McCorquodale.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City



# MODESTO CITY COUNCIL

Adjourned Regular Meeting  
Modesto City Council  
March 31, 1989

The Council of the City of Modesto met pursuant to adjournment at 8:00 a.m., at the Sundial, 806 McHenry Avenue, Modesto, California.

Present: Councilmember Muratore, Mayor Whiteside

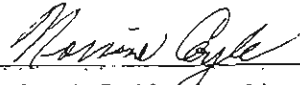
Absent: Councilmembers Irizarry, Lang, McGrath, Patterson,  
Sutton

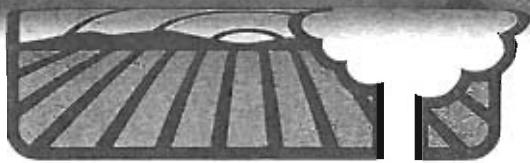
The meeting was adjourned due to lack of a quorum.

The members of the City Council present, sat as a committee and discussed various pieces of State legislation.

The meeting adjourned at 9:10.

ATTEST:

  
\_\_\_\_\_  
NORRINE COYNE, 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 4, 1989, AT 4:00 P.M.

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

Absent: Sutton

Pledge of allegiance to the Flag

Invocation: Rev. David Bautista, Victory Outreach

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 4A, 5, 6, 7, 8, 9, 11,  
12, 13, 18, 19, 20, 21, 22, 23, 24  
25

Removed from consent: 14, 15, 16, 17

ACTION: (Lang/Muratore, unan., Sutton 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

Presentation of Mayor's Proclamation concerning National Cable Month.

Mayor Whiteside presented the proclamation to Craig Case, Post-Newsweek.

MINUTES

CONSENT

2. Approval of the minutes of the special and regular City Council meetings of March 28, 1989.  
(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 Ordinance No. 2658-C.S. amending the Zoning Map to rezone from R-1 to P-D462) property located on the southeast corner of Hatch Road and Boise Avenue. (Arambel & Rose)  
(Motion adopting needed.)

ACTION: By motion, Ordinance No. 2658-C.S. adopted. (Clerk to handle)

CONSENT

- 4A. Consider acceptance of the Phase I development of McKinney Colony Park by Rule Development as complete.  
(Memo with agenda. Resolution accepting as complete needed.)

ACTION: Res. 89-453 adopted accepting as complete. (Clerk to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for the installation of additional track lighting at McHenry Mansion.  
(Suggested bid opening: April 25, 1989, at 11:05 a.m. The work consists of the installation of additional track lighting at the McHenry Mansion in the basement area. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$40,282 (contract - \$36,620; eng. & cont. - \$3,662). Funds are budgeted.)

ACTION: Res. 89-454 adopted calling for bids. (P/W to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for the construction of Mildred Perkins Neighborhood Park.  
(Suggested bid opening: April 25, 1989, at 11:00 a.m. The work consists of earthwork, concrete mow strips, curb and sidewalks, electrical, planting and irrigation, softball infield installation and fencing, thus initiating the Phase I of construction of Mildred Perkins Park located at the southwest corner of Snyder Avenue and Honeycreek Drive. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$301,987 (contract - \$274,534; eng. & cont. - \$27,453). Funds are budgeted.)

ACTION: Res. 89-455 adopted calling for bids. (P/W to handle)

CONSENT

7. Consider authorizing the purchase of printed brochures from Willey Printing for the total cost of \$13,966.  
(Memo with agenda. Resolution approving purchase needed. Funds are budgeted.)

ACTION: Res. 89-456 adopted approving purchase. (Finance to handle)

CONSENT

8. Consider acceptance of Asbestos Control Group's contract for the asbestos abatement project at the Crocker Building. Original contract: \$4,900.  
(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: \$4,650. Funds are budgeted.)

ACTION: Res. 89-457 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider waiving formal bid procedures and award to West Coast Sound & Light a two-year extension of their contract to provide lighting and sound services for the Centre Plaza, and authorize the City Manager to sign the agreement.  
(Memo with agenda. Resolution waiving bid procedure and awarding two-year contract needed. (Five affirmative votes needed.) No City funds needed.)

ACTION: Res. 89-458 adopted waiving bid procedure. (Finance to handle)

NEW BUSINESS

10. Consider a Japanese sister city.  
(A preliminary report from International Friendship Committee discusses the possibility of becoming sister cities with Kaizu, Japan. Memo with agenda. Motion accepting report and directing International Friendship Committee to continue to pursue the issue needed.)

ACTION: By motion (Patterson/Muratore, unan., Sutton absent) the report was accepted and the International Friendship Committee was directed to continue to pursue the matter. (Manager to handle)

CONSENT

11. Consider taking all actions necessary to establish a Landscape Maintenance Assessment District for the remaining portion of Dry Creek Meadows No. 2 Subdivision.  
(Memo with agenda. Resolution initiating proceedings for the formation of a maintenance district, Assessment District No. 2; resolution ordering improvements, Assessment District No. 2; and resolution certifying the Engineer's Report for Assessment District No. 2 needed.)

ACTION: Res. 89-459 adopted initiating proceedings for the formation of a maintenance district.

Res. 89-460 adopted ordering improvements in Assessment District No. 2.

Res. 89-461 adopted certifying the Engineer's Report for Assessment District No. 2. (P/W to handle)

CONSENT

12. Consider ordinance amending the Modesto Municipal Code sections relating to sewer bond redemption charges.  
(The ordinance provides incentives to locate facilities within our Modesto Municipal Sewer District to new industries that are both labor and capital intensive. Memo with agenda. Motion introducing the ordinance needed.)

ACTION: By motion, Ord. No. 2659-C.S. introduced. (Clerk to handle)

CONSENT

13. Consider approving an appropriation transfer to provide funds for the Soviet delegation.  
(Memo with agenda. Resolution approving appropriation transfer needed.  
Estimated cost: \$1,500.

ACTION: Res. 89-462 adopted approving appropriation transfer.  
(Finance to handle)

14. Consider approval of the final map of Dry Creek Meadows No. 7 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: The William Lyon Company  
(The subdivision agreement has been signed and all fees paid. Dry Creek Meadows No. 7 is located south of Mechalys Way between North McClure Road and Creekwood Drive. It contains 17.523 acres. Resolution approving the final map needed.)

ACTION: Res. 89-463 adopted (Lang/Muratore, unan., Sutton absent) approving the final map.  
(Clerk to handle)

15. Consider approval of the final map of Dry Creek Meadows No. 8 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: The William Lyon Company  
(The subdivision agreement has been signed and all fees paid. Dry Creek Meadows No. 8 is located east of North McClure Road between Mechalys Way and Yosemite Boulevard. It contains 14.457 acres. Resolution approving the final map needed.)

ACTION: Res. 89-464 adopted (Lang/Muratore, unan., Sutton absent) approving the final map.  
(Clerk to handle)

16. Consider approval of the final map of Dry Creek Meadows No. 9 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: The William Lyon Company  
(The subdivision agreement has been signed and all fees paid. Dry Creek Meadows No. 9 is located at the northeast corner of North McClure Road and Yosemite Boulevard. It contains 27.632 acres. Resolution approving the final map needed.)

ACTION: Res. 89-465 adopted (Lang/Muratore, unan., Sutton absent) approving the final map.  
(Clerk to handle)

17. Consider approval of the final map of Dry Creek Meadows No. 10 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: The William Lyon Company  
(The subdivision agreement has been signed and all fees paid. Dry Creek Meadows No. 10 is located at the northwest corner of Yosemite Boulevard and Claus Road. It contains 67.975 acres. Resolution approving the final map needed.)

ACTION: Res. 89-466 adopted (Lang/Muratore, unan., Sutton absent) approving the final map. (Clerk to handle)

CONSENT

18. Consider approval of the final map of Willow Grove 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: Summerview Associates  
(The subdivision agreement has been signed and all fees paid. Willow Grove is located north of Princewood Lane between Coffee Road and Kingswood Drive. It contains 6.000 acres. Resolution approving the final map needed.)

ACTION: Res. 89-467 adopted approving the final map. (Clerk to handle)

CONSENT

19. Consider approval of the final map of Naraghi Lakes No. 7 Subdivision of the City of Modesto and consider accepting the improvements. Subdivider: Hashem Naraghi  
(All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Naraghi Lakes No. 7 is located south of Hashem Drive between Marina Drive and Nora Lane. It contains 5.378 acres. Resolution approving the final map and accepting improvements needed.)

ACTION: Res. 89-468 adopted approving the final map. (Clerk to handle)

CONSENT

20. Consider setting date for public hearing to consider temporary closure of Walnut Way.  
(The temporary closure is a condition of approval for a tentative subdivision map called Nunes Farms. Staff recommends a public hearing be set for April 25, 1989, to consider this matter.  
(Resolution setting public hearing on April 25, 1989, at 7:30 p.m. needed.)

ACTION: Res. 89-469 setting public hearing. (Clerk to handle)

CONSENT

21. Consider contract amendment to extend the State grant for the Transportation Center through December 30, 1990.  
(Memo with agenda. The State granted the City \$160,000 for the Transportation Center. The grant contract expires June 30, 1989, and the State approves extending it through December 30, 1990. Resolution approving contract amendment needed.)

ACTION: Res. 89-470 adopted approving contract amendment. (P/W to handle)

CONSENT

22. Consider approving lease agreement with C. J. Rumble and Sons, Inc., for the lease of Chrysler 99 #2 park site.  
(This is a one-year renewal of an existing lease. The Rumbles pay us \$150 per year rent. No one else can rent the property because of the irrigation set up. Resolution approving agreement needed.)

ACTION: Res. 89-471 adopted approving agreement. (Attorney to handle)

CONSENT

23. Consider executing Easement Deed across Parking Lot 2A (Lotus Restaurant 1/2 block) for M.I.D. electrical facilities.  
(Memo with agenda. Resolution authorizing execution of easement deed by City Manager and City Clerk needed.)

ACTION: Res. 89-472 adopted authorizing execution of easement deed.  
(Attorney to handle)

CONSENT

24. Consider modifying speed limits on various streets.  
(Memo with agenda. A total of nine updated, revised, or new radar-enforceable speed limits are proposed. Also, two new non-radar limits are proposed, and one non-radar limit is proposed to be changed. Motion introducing ordinance amending Modesto Municipal Code Section 3-2.1401 (non-radar) and Section 3-2.1401.1 (radar) needed. Estimated cost: \$1,260. Funds are budgeted.)

ACTION: By motion, Ord. No. 2660-C.S. was introduced. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

25. Letter from Carl O. Waggoner, Attorney for Stanislaus Union School District, concerning amendment to an agreement between the City and School District concerning purchase of Snyder School Site with lot tax money.  
(Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 89-473 adopted approving amendment to agreement.  
(Planning to handle)

CLOSED SESSION

26. Closed session to consider pending litigation pursuant to Government Code Section 54956.9(a).

ADJOURNMENT

The meeting adjourned to at 4:35 p.m. to closed session and then to 6:00 p.m., April 4, 1989, at the Sundial Restaurant, 806 McHenry Avenue, Modesto, for a meeting with the Modesto Planning Commission.

ATTEST: *Norpine Coyle*  
NORPINE 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., April 4, 1989, at the Sun Dial Restaurant, 806 McHenry Avenue, Modesto, California, to discuss land use issues.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Mayor Whiteside

ABSENT: Councilmembers Patterson, Sutton

PRESENT: Commission Members Dunbar, Fisher, Grover, Hart, Smith, Chairman Gallagher

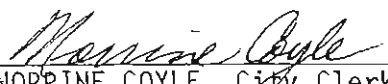
ABSENT: Commission Member Alexander

The Planning Commission and staff presented the newly-conceived "village" development style and described how it differed from present "neighborhood" development planning.

The City Council had no objections to the Planning Commissioners' holding meetings in the community to inform the public as much as possible about what is being considered.

The meeting adjourned at 9:00 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, APRIL 11, 1989, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. John Petersen, Christian Reformed Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 9, 10, 11, 13,  
14, 15, 16, 17, 18, 21, 22, 23,  
24

Removed from consent: 8, 12, 19

ACTION: (McGrath/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.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

In recognition of National Volunteer's Week, Mayor Whiteside acknowledged and thanked volunteers in Modesto.

MINUTES

CONSENT

2. Approval of the minutes of the special Council meeting of March 31, 1989, and the regular and adjourned Council meetings of April 4, 1989. (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.)

Louise Siewert thanked the Council for approving the wall for Modesto Verde Mobile Home Estates.

Councilmember Lang excused at 7:37 p.m.

UNFINISHED BUSINESS

4. Consider residential option for the College West Neighborhood. (Memo with agenda. Staff recommends retention of the industrial-business park designation for the College West Neighborhood. Motion accepting report and not pursuing a residential option, or motion directing staff needed.)

ACTION: By motion (Sutton/McGrath, majority, Irizarry and Whiteside-no, Lang absent) staff's "Alternate Action" was approved and the E.I.R. is to be updated. (Planning to handle)

CONSENT

5. Consider amending the 1988-89 Community Development Block Grant Final Statement of Community Development Objectives by authorizing a grant not to exceed \$72,000 to plan and build an eight foot masonry wall along Prescott Road border for Modesto Verde Mobile Home Estates. (Memo with agenda. Modesto Verde Mobile Home Estates residents requested City assistance to building a privacy/sound barrier wall. Resolution amending the 1988-89 Final Statement and resolution approving appropriation transfer needed. Funds are budgeted.)

ACTION: Res. 89-474 adopted amending the 1988-89 Final Statement.  
Res. 89-475 adopted approving an appropriation transfer. (Planning to handle)

CONSENT

6. Final adoption of:

- a. Ordinance No. 2659-C.S. amending the Modesto Municipal Code relating to sewer bond redemption charges.
- b. Ordinance No. 2660-C.S. amending the Modesto Municipal Code relating to speed limits.  
(Motion adopting needed.)

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

HEARINGS

7. Hearing to consider amendments, additions, and deletions to the sign regulations of the Modesto Municipal Code pertaining to height limitations on wall signs.

ACTION: By motion (Irizarry/Muratore, unan., Lang absent) Ord. No. 2661-C.S. introduced. (Clerk/Planning to handle)

BIDS

8. Consider approving specifications and authorize call for bids to be opened May 2, 1989, at 3:00 p.m. for furnishing imprinted vinyl binders. (Memo with agenda. Resolution approving specifications and calling for bids needed. Estimated cost: \$11,200. Funds are budgeted.)

ACTION: Res. 89-476 adopted (Sutton/Irizarry, unan., Lang absent)  
(Finance to handle)

CONSENT

9. Consider authorizing the purchase and installation of two hydraulic rail lifts from Banks & Company for a total cost of \$12,068.60. (Memo with agenda. Resolution authorizing purchase and installation needed. Funds are budgeted.)

ACTION: Res. 89-477 adopted authorizing purchase and installation.  
(Finance to handle)

CONSENT

10. Consider amending the budget and awarding a contract to the Rising Sun Company for the Morton Boulevard trestle modification construction. (Memo with agenda. Bids were opened on February 28, 1989. Three bids were received. The Rising Sun Company was the low bidder at \$297,202. This is 19% above the estimate but is considered acceptable. A budget amendment transferring \$31,756 is requested to fund this project. Resolution amending the budget, and resolution awarding the contract needed. Estimated cost: design - \$78,000; construction - \$314,102; insp., engr., & contg. - \$31,410. Funds are partially budgeted.)

ACTION: Res. 89-478 adopted amending the budget.  
Res. 89-479 adopted awarding the contract. (P/W to handle)

CONSENT

11. Consider acceptance of Graham Contractors, Inc.'s contract for the cape seal of various streets 1988, and Dryden Golf Course parking lot. Original contract: \$45,754.80. (All work on this project has been completed to the satisfaction of the Public Works and Transportation Department. It is, therefore, recommended that the work be accepted and the Notice of Completion filed. Resolution accepting work as complete needed. Final cost: \$52,424.80. Funds are budgeted.)

ACTION: Res. 89-480 adopted accepting work as complete. (Clerk to handle)

12. Consider acceptance of Granite Construction's contract for the Coldwell Avenue reconstruction from College to Tully. Original contract: \$261,649.50. (All work on this project has been completed to the satisfaction of the Public Works and Transportation Department. It is, therefore, recommended that the work be accepted and the Notice of Completion filed. Resolution accepting work as complete needed. Final cost: \$309,898.03. Funds are budgeted.)  
Councilmember Muratore excused due to a conflict of interest.

ACTION: Res. 89-481 adopted (Patterson/Sutton, unan., Lang and Muratore absent) accepting as complete. (Clerk to handle)

CONSENT

13. Consider authorizing the City Manager to sign an Exclusive Authorization and Right to Sell City property at 101 A, B, C, and D, and 107-109 I Street; and 905 2nd Street, per the bid selected by lottery by the City Clerk. (Memo with agenda. City Clerk selected the winning realtor to market this City property by lottery after eight similar bids were received. Resolution authorizing the City Manager to sign an Exclusive Authorization and Right to Sell City property. Estimated cost: 6% of sales price.)

ACTION: Res. 89-482 adopted authorizing the sale of City property. (Planning to handle)

CONSENT

14. Consider waiving formal bids and authorizing issuance of a purchase order to Sancon Engineering, Inc., for the emergency repair to the 60" outfall trunk sewer and vacuator dome at the Water Quality Control Plant. (Memo with agenda. Resolution waiving formal bids and authorizing issuance to purchase order needed. (Five affirmative votes needed.) Estimated cost: \$283,500. (repair costs - \$270,000, engr. & contg. - \$13,500) Funds are budgeted.)

ACTION: Res. 89-483 adopted waiving formal bids. (Clerk to handle)

NEW BUSINESS

CONSENT

15. Consider amending the Modesto Municipal Code sections relating to filing final maps. (Memo with agenda. Introduction of ordinance amending the Code sections needed.)

ACTION: By motion, Ord. No. 2662-C.S. introduced. (Clerk to handle)

CONSENT

16. Consider amending an agreement with Children's Crisis Center by funding a request, not to exceed \$5,000, to purchase equipment from the Community Development Block Grant as recommended by the Citizens Housing and Community Development Committee. (Memo with agenda. The Committee recommends funding purchase of a lawn mower, vacuum cleaner, refrigerator, freezer, washing machine and VCR for the Children's Crisis Center. Resolution amending the agreement needed. Funds are budgeted.)

ACTION: Res. 89-484 adopted amending the agreement. (Planning to handle)

CONSENT

17. Consider authorizing \$25,000 of Community Development Block Grant funds to install handicapped accessible doors for the rear entrance of City Hall under the Handicapped Barrier Removal Program, per the recommendation of the Citizens Housing and Community Development Committee. (Memo with agenda. CH&CDC recommends funding handicapped accessible doors for rear entrance of City Hall. Resolution authorizing the use of \$25,000 of CDBG funds needed. Funds are budgeted.)

ACTION: Res. 89-485 adopted authorizing use of CDBG funds. (Planning to handle)

CONSENT

18. Consider authorizing the City Manager to sign the funding approval and grant agreement to receive \$75,000 from the U. S. Department of Housing and Urban Development for the 1989-90 Rental Rehabilitation Program. (Memo with agenda. HUD has awarded \$75,000 to the City of Modesto for Rental Rehabilitation Program. Resolution authorizing City Manager to sign a funding approval and grant agreement needed.)

ACTION: Res. 89-486 adopted approving grant agreement. (Planning to handle)

19. Consider renewal of the Public Officials Errors & Omissions Policy with American Empire Surplus Lines/Marsh & McLennan, for the policy period March 1, 1989, - March 1, 1990. (Memo with agenda. Resolution approving renewal needed. Estimated cost: \$34,649.58. Funds are budgeted.)

ACTION: Res. 89-487 adopted (Patterson/McGrath, unan., Lang absent) approving renewal of insurance. By motion (same vote) staff requested to provide information to the Council on a procedure for obtaining bids on insurance policies and renewals. (Attorney to handle)

CONSENT

21. Consider request for water service to property outside City limits at 1729 Woodland Avenue, located on the north side of Woodland Avenue between Carpenter Road and Bennett Road. Owner: Garnet L. Cole (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. 89-488 adopted approving agreement. (Planning to handle)

WRITTEN COMMUNICATIONS

CONSENT

22. Letter from the Downtown Improvement District requesting permission to use downtown sidewalks for a sale on April 14, 15, and 16, 1989. (Motion approving request needed.)

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

CONSENT

23. Petition from citizens concerning additional bus service. (Motion referring to staff needed.)

ACTION: By motion, request referred to staff. (P/W to handle)

MISCELLANEOUS

CONSENT

24. Legislation: Staff recommends:

Support

- a. ACA 25 (Bradley) - General Obligation Bonds
- b. AB 852 (Bates) - Local Income Tax Removal of Prohibition

Support - Seek Amendments

- c. SB 254 (Bergesen) - Fire Suppression Assessments

Oppose

- d. ACA 22 (Johnson) - Prohibition of Parcel Tax
- e. ACA 23 (Johnson) - Requirement for Voter Approval of All New or Increased Taxes (Proposition 62)
- f. AB 1656 (Moore) - Airports: Limousines for Hire
- g. AB 2491 (Costa) - Airport Courtesy Vehicles
- h. SB 713 (L. Greene) - Limitations on Zoning, General Plan or Specific Plan Amendments

(Memos with agenda. Motion accepting recommendation needed.)

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

25.

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 (Muratore/Sutton, majority, McGrath and Patterson-no, Lang absent) it was agreed that this item arose after publication of the agenda.

A motion (Muratore/Sutton) to support Measure S was withdrawn.

ADJOURNMENT

The meeting adjourned at 10:15 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, APRIL 18, 1989, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. R. Truman Northup, Retired, Church of the Brethren

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 7, 8, 11, 12, 13, 14, 15,  
16, 17, 18, 20

ACTION: (Lang/Sutton, 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

Consider finalists for Water Conservation Logo Contest and presentation of certificates and monetary awards.  
(Motion approving award-winning Water Conservation Logo entry and presentation of finalists. Estimated cost: \$300. Funds are budgeted.)

Judi Rae introduced Kimberly Hosick and Carol Jacobs, second and third place winners, and presented awards.

Angie Wiinikka introduced a delegation of women from our sister city of Khmel'nitsky, Russia, Alla Galuzinskaya, Natasha Schevchenko, and Svetlana Karvan, who presented the Mayor with gifts from their City.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of April 11, 1989.  
(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.)

Rev. Charles Stringer, spoke concerning narcotic dealing and addiction problems in the Pine Street area. Staff to report.

UNFINISHED BUSINESS

4. Consider resolution supporting Measure S.

ACTION: Res. 89-489 adopted (Lang/Sutton, majority, McGrath, Patterson-no) supporting Measure S. (Clerk to handle)

CONSENT

5. Final adoption of:

a. Ordinance No. 2661-C.S. amending the Modesto Municipal Code sections relating to height limitations on wall signs.

b. Ordinance No. 2662-C.S. amending the Modesto Municipal Code sections relating to filing final maps.

(Motion adopting needed.)

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

HEARINGS

6. Hearing to consider the appeal of Plumbers & Pipefitters Local Union No. 437 to a decision of the Board of Building Appeals concerning the use of the Sovent System on the Red Lion Inn.

Councilmember Patterson left at 6:00 p.m.

ACTION: Res. 89-490 adopted (Lang/Sutton, majority, McGrath-no, Patterson absent) denying appeal.

BIDS

CONSENT

7. Consider declaring a vehicle as surplus to City needs and authorize the Purchasing Officer to advertise and sell the vehicle on a sealed bid basis.  
(Memo with agenda. Resolution declaring vehicle surplus to City needs and authorizing sale by sealed bid needed.)

ACTION: Res. 89-491 adopted awarding bid. (Finance to handle)

CONSENT

8. Consider authorizing the purchase and installation of two copy machines, one from Mo-Cal Office Equipment and one from California Copy for the total price of \$20,231.  
(Memo with agenda. Resolution authorizing purchase and installation needed. Funds are budgeted.)

ACTION: Res. 89-492 adopted awarding bid. (Finance to handle)

NEW BUSINESS

CONSENT

11. Consider approving revised "Letter of Agreement" between the City of Modesto and the Federal Aviation Administration regarding airport emergency service.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-493 adopted approving agreement. (P/W to handle)

CONSENT

12. Consider authorizing City Manager to execute a lease agreement with Alfred S. Pelucca for property at the northwest corner of 10th and F Streets.  
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$300 per month. Funds are budgeted.)

ACTION: Res. 89-494 adopted approving agreement. (Attorney to handle)

CONSENT

13. Consider approval of the preapplication for a federal grant for porous friction coat for runway 28R/10L with marking and striping at the Modesto City-County Airport.  
(Memo with agenda. Resolution approving preapplication needed.  
Estimated cost: FAA - \$202,500; City/County - \$22,500. Funds not yet budgeted.)

ACTION: Res. 89-495 adopted approving preapplication. (P/W to handle)

CONSENT

14. Consider acceptance of improvements in Edinburgh Plaza Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: John Simvoulakis  
( All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Edinburgh Plaza is located west of El Vecino Avenue and south of East Roseburg Avenue. It contains 4.85 acres. Resolution accepting improvements needed.)

ACTION: Res. 89-496 adopted accepting improvements as complete.  
(Clerk to handle)

CONSENT

15. Consider acceptance of improvements in Gainsboro Place Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Bailey Enterprises  
( All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Gainsboro Place is located west of Oakdale Road and south of Floyd Avenue. It contains 2.230 acres. Resolution accepting improvements needed.)

ACTION: Res. 89-497 adopted accepting improvements as complete.  
(Clerk to handle)

CONSENT

16. Consider approval of agreement with Seidler-Fitzgerald Public Finance to represent the City as financial advisor for the proposed \$101,175,000 Waste-to-Energy Bond Refunding.  
(Memo with agenda. Resolution approving agreement needed. No charge to City.)

ACTION: Res. 89-498 adopted approving agreement. (Finance to handle)

CONSENT

17. Presentation of monthly Treasurer's Report for March, 1989.  
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: Acknowledged receipt of report.

CONSENT

18. Consider amending the Modesto Municipal Code to allow the Director of Finance to designate responsibility for collection of water and sewer charges to other City staff as needed.  
(Memo with agenda. Motion introducing an ordinance amending Code Section 11-1.02 needed.)

ACTION: By motion, Ord. No. 2663-C.S. introduced. (Clerk to handle)

MISCELLANEOUS

Legislation

CONSENT

20. Staff recommends:

- a. Opposition to SB 998 (Presley) and SB 1059 (Robbins) - Redevelopment - Mandatory Pass-Through Agreement
  - b. Support of S435 (Reid) Contributions-in-Aid-of-Construction (CIAC)
- (Memos with agenda. Motion approving recommendations needed.)

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

Appointments

21. Consider appointment to the Rehabilitation Loan Pool Subcommittee.

ACTION: Res. 89-499 adopted (McGrath/Irizarry, unan., Patterson absent) appointing Bill Covey to the Subcommittee.

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. (There will be a closed session to consider employee relations pursuant to Government Code Section 54957.6.)

ADJOURNMENT

The meeting adjourned to closed session at 7:15 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 6:00 p.m., April 25, 1989, in the Council Chambers, City Hall, Modesto, California.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Sutton, Mayor Whiteside

Mayor Whiteside arrived at 6:05 p.m.

Absent: None

The meeting adjourned at 6:03 p.m. to closed session to consider employee relations, 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, APRIL 25, 1989, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 10, 11, 12, 13, 14, 15,  
16, 17, 18, 19, 21, 22, 23, 25,  
26, 27, 28, 29, 30

Removed from consent: 24

ACTION: (Irizarry/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.

### ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of a proclamation declaring April 24 - 28, 1989, as Fair Housing Poster Week.

Vice Mayor presented the Mayor's proclamation to Barbariae Boyette and Janet Harrison.  
Firoz Vohra introduced Joseph Holland, the City's Transportation Planner.

### MINUTES

#### CONSENT

2. Approval of the minutes of the regular City Council meeting of April 18, 1989.  
(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.)

Councilmember McGrath announced that he will not be seeking re-election in November.

### UNFINISHED BUSINESS

4. Staff report in response to conference report from Modesto Team Members to Governor's Office of Criminal Justice Planning's Conference on Combatting Crime and Violence in California's Ethnic Communities.  
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Lang/Sutton, unan.) receipt of report acknowledged and staff directed to work with the Team in looking for ways to move forward. (Police to handle)

#### CONSENT

5. Final adoption of Ord. No. 2663-C.S. amending Municipal Code to allow Director of Finance to designate responsibility for collection of water and sewer charges.  
(Motion adopting needed.)

ACTION: By motion, Ordinance No. 2663-C.S adopted. (Clerk to handle)

### HEARINGS

6. Hearing to temporarily close Walnut Way at the north end of the approved Nunes Farms vesting tentative subdivision map.

ACTION: Res. 89-500 adopted (McGrath/Sutton, unan.) approving temporary closure. (Planning to handle)

7. Hearing to consider an amendment to Section 33-3-9 of the Zoning Map to repeal P-D(412) and rezone to M-1, property located at the south corner of Ninth Street and B Street. (Fred Varni)

ACTION: By motion (Muratore/McGrath, unan.) Ord. No. 2664-C.S. introduced. (Clerk to handle)

8. Hearing to consider an amendment to Section 13-3-9 of the Zoning Map to repeal P-D(395) and rezone to R-2, property located on the southeast corner of Conant Avenue and West Rumble Road. (Bright Development)

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2665-C.S. introduced. (Clerk to handle)

9. Hearing to consider the appeal of Tully Manor Investment Trust to a Planning Commission conditions of approval for an amendment to Section 7-3-9 of the Zoning Map to amend P-D(21), and to consider the appeal of Damrell, Damrell & Nelson, on behalf of Mr. and Mrs. Stephen T. Beneto, to the requirement of a 300 Foot Median on Standiford Avenue, located at of Tully Road and Standiford Avenue.

ACTION: By motion (McGrath/Lang, unan.) this item was continued to May 9, 1989, at 7:30 p.m. (Clerk to handle)

### BIDS

#### CONSENT

10. Consider rejecting the bid received for furnishing one new pneumatic pruning system and authorize new call for bids to be opened May 9, 1989, at 3:00 p.m. (Memorandum with agenda. Resolution rejecting all bids and authorizing new call for bids needed. Estimated cost: \$8,000. Funds are budgeted.)

ACTION: Res. 89-501 adopted rejecting all bids. (Finance to handle)

CONSENT

11. Consider approving specifications and authorize call for bids to be opened May 16, 1989, at 3:00 p.m., for furnishing annual dry cell battery requirements.

(An annual requirement, the bid is a cooperative venture with Stanislaus County, City of Oakdale, Yosemite Community College District, and Modesto City Schools. The batteries are purchased intermittently throughout the fiscal year by Central Stores and issued to using departments.

Resolution approving specifications and authorizing call for bids needed. Estimated Cost \$2,900 - City portion. Funds are budgeted.)

ACTION: Res. 89-502 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider approving specifications and authorize call for bids to be opened May 16, 1989, at 3:05 p.m., for furnishing annual compaction, aggregate, and concrete testing services.

(The testing will be performed on various City streets, water, or construction projects; the services will be purchased intermittently throughout the 1989-90 Fiscal Year. Resolution approving specifications and authorizing call for bids needed. Estimated Cost: \$22,000. Funds are budgeted.)

ACTION: Res. 89-503 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider approving specifications and authorizing call for bids to be opened May 16, 1989, at 3:10 p.m., for furnishing annual requirements of liquid chlorine.

(An annual requirement, the purchase of liquid chlorine is a cooperative venture with the cities of Oakdale and Turlock. The chlorine is used in treating residential and industrial waste and will be purchased intermittently throughout the 1989-90 Fiscal Year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$307,993.00. Funds are budgeted.)

ACTION: Res. 89-504 adopted calling for bids. (Finance to handle)

CONSENT

14. Consider approving specifications and authorize call for bids to be opened May 23, 1989, at 3:00 p.m., for furnishing annual requirements of street name signs.

(Requested by the Parking and Traffic Department, the street name signs will be used both in new developments and as replacements for missing or damaged signs for the 1989-90 Fiscal Year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$22,500. Funds are budgeted.)

ACTION: Res. 89-505 adopted calling for bids. (Finance to handle)

CONSENT

15. Consider acceptance of bid and award of contract to Morrow & Waggoner, Inc. for the resurfacing of Revard Park basketball court.  
(Bids were opened on April 18, 1989. The low bid of \$19,800, submitted by Morrow & Waggoner, Inc. is 5.71% 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 accepting bid and awarding contract needed. Estimated Cost \$21,780 (Contr. \$19,800; Eng. & Cont. \$1,980. Funds are budgeted.)

ACTION: Res. 89-506 adopted awarding bid. (Clerk to handle)

CONSENT

16. Consider acceptance of C.W. Roen Construction's contract for the Third Fixed Film Reactor Project at the City's Secondary Treatment Plant.  
Original contract: \$1,839,100.  
(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: \$1,869,633.17. Funds are budgeted.)

ACTION: Res. 89-507 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider waiving formal bid procedure and extending agreement (#8788-21) with Brannon Tire Corp. for one additional year.  
(Memorandum with agenda. Resolution declaring waiver of bid and extending the period of performance on the Brannon Tire agreement needed. Five affirmative votes are needed. Estimated cost: \$13,610. Funds are budgeted.)

ACTION: Res. 89-508 adopted waiving formal bid procedure. (Finance to handle)

CONSENT

18. Consider waiving formal bid procedure and authorizing the repair of damaged Police van from Lovelady's Body and Paint Shop for the total price of \$9,066.  
(Memorandum with agenda. Resolution waiving formal bid procedure and authorizing repair needed. Five affirmative votes needed. Funds are budgeted.)

ACTION: Res. 89-509 adopted waiving formal bid procedure. (Finance to handle)

NEW BUSINESS

CONSENT

19. Consider commending the Modesto Police Reserves for contributing to the community welfare and safety.  
(On Thursday, May 11, 1989, the Annual Modesto Police Reserve Dinner will be held. Resolution commending Modesto Police Reserves needed.)

ACTION: Res. 89-510 adopted commending Modesto Police Reserves.  
(Police to handle)

20. Consider approving dates for review of the 1989-90 Proposed Operating Budget and the Four-Year Capital Improvement Program.  
(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (McGrath/Lang, unan.) proposed dates were approved with the hours alternating between 4-5 p.m. and 4-6 p.m.  
(Finance to handle)

CONSENT

21. Consider reformatting of Fiscal Year 1989-90 Operating Budget.  
(Memo from City Council Ad Hoc Budget Committee with agenda. Motion accepting report and recommendations needed.)

ACTION: By motion, report and recommendation approved. (Finance to handle)

CONSENT

22. Consider formation of Sewer Improvement District No. 28.  
(The Improvement District will provide sewer service to areas annexed to the City over the past several years. Memo with agenda. Motion directing City Attorney to arrange for Bond Counsel needed, and motion authorizing preparation of boundary maps and other necessary documents needed.)

ACTION: By motion, City Attorney directed to arrange for Bond Counsel.  
By motion, preparation of boundary maps and other necessary documents authorized. (P/W to handle)

CONSENT

23. Consider amending the Fiscal Year 1988-89 Final Statement of Community Development Objectives to fund \$20,000 of the operational costs of the establishment of halfway houses for substance abusers for Stanislaus Residential Services, per the recommendation of the Citizens Housing and Community Development Committee.  
(Memo with agenda. Stanislaus Recovery Services was recommended for \$20,000 operational costs for F.Y. 88-89 for a halfway house. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 89-511 adopted approving agreement. (Planning to handle)

24. Consider amending the Fiscal Year 1988-89 Final Statement of Community Development Objectives to fund the Stanislaus State University Foundation/Modesto Community Bridge Project in the amount of \$16,980 from the Community Development Block Grant Funds, per the recommendation of the Citizens Housing and Community Development Committee to provide assistance to residents of 620 Paradise Road Apartments. (Memo with agenda. The Modesto Community Bridge Project will help the residents of 620 Paradise Apartments learn to live in a modern apartment. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 89-512 adopted (Lang/McGrath, majority, Irizarry-no) approving agreement. (Planning to handle)

CONSENT

25. Consider approving amendments to Naraghi Lakes Units 5, 6, 7, and 8 Subdivisions. (On March 20, 1989, the Planning Commission adopted Resolution No. 89-41 recommending that the City Council approve amendments to Naraghi Lakes Units 5, 6, 7, and 8 Subdivisions to allow their removal from the Naraghi Lakes Association. Resolution approving amendments needed.)

ACTION: Res. 89-513 adopted approving amendments. (Planning to handle)

CONSENT

26. Consider request for sewer service to property outside City limits at 205 Glacier Avenue, located on the north side of Glacier Avenue between Crystal Avenue between Crystal Avenue and Cascade Avenue. Owner: S. Keith Evans

ACTION: Res. 89-514 adopted approving agreement. (P/W to handle)

CONSENT

27. Consider abandonment of the 60 foot wide public Utility Easement in Block 6428 of the City of Modesto. (Memo with agenda. Resolution vacating and abandoning needed.)

ACTION: Res. 89-515 adopted vacating and abandoning. (P/W to handle)

CONSENT

28. Consider authorizing refund of \$1,702.64 for overpayment of Business License Tax by Jenny Craig Weight Loss Center. (Memo with agenda. Resolution authorizing refund needed.)

ACTION: Res. 89-516 adopted authorizing refund. (Finance to handle)

CONSENT

29. Consider job description changes to the existing classifications of Fire Engineer and Fire Captain.  
(Memorandum with agenda. Resolution amending Position Classification Plan needed.)

ACTION: Res. 89-517 adopted amending Position Classification Plan.  
(Manager to handle)

MISCELLANEOUS

Legislation

CONSENT

30. Staff recommends supporting AB 1008 (Condit) - Crimes Against Minors - Displaying Harmful Matter (Pornography).  
(Memo with agenda. Motion accepting recommendation needed.)

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

MATTERS TOO LATE FOR THE AGENDA

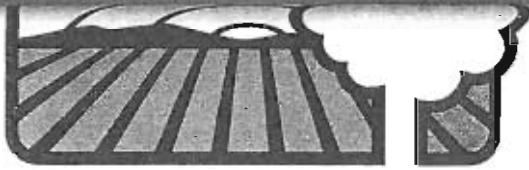
31. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 11:05 p.m. to 7:30 p.m., Wednesday, April 26, 1989, in the Gingko/Pistache Room, Modesto Centre Plaza, 1000 L Street, Modesto, California, for a joint meeting with M.I.D. and Del Este regarding the surface water study.

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., April 26, 1989, in the Modesto Centre Plaza, Modesto, California, for a joint meeting with the Modesto Irrigation District Board of Directors and representatives of Del Este Water Company.

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

Councilmember Patterson arrived at 7:55 p.m.  
Mayor Whiteside arrived at 8:20 p.m.

ABSENT: Councilmembers Lang and McGrath

Vice Mayor Irizarry and Board President Billington welcomed everyone to the meeting.

Joe Marcotte, M.I.D. Chief Executive Officer, explained the process and program for the evening, after which representatives of James M. Montgomery, Consulting Engineers, and U.R.S. Consultants, discussed the studies they have made.

Mr. Marcotte discussed the implementation schedule and the process to be followed. He recommended having quarterly meetings of this group so that the three agencies can be kept informed about the status of the project.

Mayor Whiteside thanked everyone for coming and adjourned the meeting at 9:30 p.m.

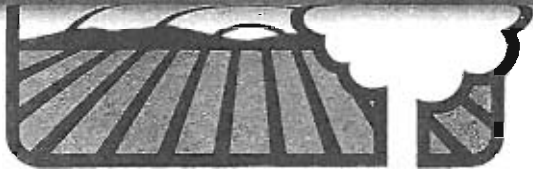
ATTEST:

*Norrine Coyle*  
NORRINE COYLE, City Clerk

WPCC28

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4-26-89



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

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

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 2, 1989, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

The pledge was recited in English and Spanish by the bilingual Kindergarten Class from Ethel Pearson School, and was followed by The Star Spangled Banner and "You're A Grand Old Flag" sung in English by the Class.

Invocation: Rabbi Samuel Graudenz, Beth Shalom Congregation

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 9, 10, 11, 12, 13, 14,  
15, 16, 17, 18, 19, 20, 22

Removed from consent: 21

ACTION: (Lang/McGrath, 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

- a. Presentation of proclamation to Rabbi Graudenz concerning Days of Remembrance of the Victims of the Holocaust.

The Mayor's proclamation was presented by Vice Mayor Irizarry.

- b. Presentation of trophies to the first place winners of the Fair Housing Week poster contest.

Trophies and certificates were presented to the winners.

- c. Presentation concerning National Transit Appreciation Day on May 17, 1989.

(Memo with agenda. Promotional plans include free bus rides that day and giveaway of promotional items. Motion approving promotional plan needed. Estimated cost: \$1,750. Funds are budgeted.)

By motion (Muratore/Irizarry, unan.) the promotional plan was approved. (P/W to handle)

MINUTES

CONSENT

2. Approval of the minutes of the special and regular City Council meetings of April 25, 1989, and the adjourned meeting of April 26, 1989. (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. 2664-C.S. amending the Zoning Map to repeal P-D(412) and rezone to M-1, property located at the south corner of Ninth Street and B Street. (Ken Mustoe)

- b. Ordinance No. 2665-C.S. amending the Zoning Map to repeal P-D(395) and rezone to R-2, property located at the southeast corner of Conant Avenue and west of Rumble Road. (Addition to Chrysler School)

(Motion adopting needed.)

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

#### HEARINGS

5. Hearing to consider the California-Marshall Reorganization, consisting of the annexation of the territory to the City of Modesto and the Modesto Municipal Sewer District No. 1, and the detachment from the Burbank-Paradise Fire Protection District.

ACTION: Res. 89-518 adopted (Muratore/McGrath, unan.) annexing to the City of Modesto. (Clerk to handle)

6. Hearing to consider the City's Community Development Block Grant Application for Fiscal Year 1989-90.  
This item was taken out of order before item 5.

ACTION: By motion (Irizarry/Sutton, unan.) hearing continued to May 23, 1989, at 7:30 p.m. (Clerk to handle)

7. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Loran Corporation, to a decision of the Environmental Assessment Committee concerning an environmental impact report for the proposed project to rezone from R-1 to P-D, property located at the northwest corner of Sylvan Avenue and Oakdale Road.

ACTION: Res. 89-519 adopted (Lang/Muratore, majority, McGrath and Patterson-no) granting the appeal as it relates to the curb cuts, but other items must be mitigated by the applicant. (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(464) to allow a two- and three-story residential condominium project, property located on the south side of Standiford Avenue west of Prescott Road. (Lyon/Redev)

ACTION: By motion (Lang/Sutton, unan.) Ord. No. 2665-C.S. introduced.  
Res. 89-520 adopted (same vote) approving plan.  
Res. 89-521 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

9. Consider approving specifications and authorize call for bids to be opened May 23, 1989, at 3:10 p.m. for furnishing the City's annual requirements of ready-mixed concrete.  
(The ready-mixed concrete will be used by various City departments for new construction and repair projects. The concrete will be purchased intermittently throughout the 1989-90 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$13,000. Funds will be included in the 1989-90 budget.)

ACTION: Res. 89-522 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider approving specifications and authorize call for bids to be opened May 23, 1989, at 3:15 p.m. for furnishing the City's annual requirements of rock, sand, and gravel products.  
(These materials are used throughout the City for expansion, repair, and non-capital outlay projects. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$30,000. Funds will be included in the 1989-90 budget.)

ACTION: Res. 89-523 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider approving specifications and authorize call for bids to be opened May 23, 1989, at 3:20 p.m. for furnishing the City's annual requirements of swimming pool chlorine and muriatic acid.  
(The swimming pool chlorine and muriatic acid will be used throughout the year by the Parks and Recreation Department for swimming and training pool maintenance. It will be purchased intermittently throughout the 1989-90 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$11,200. Funds will be included in the 1989-90 budget.)

ACTION: Res. 89-524 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider declaring Eastman, Inc., low bidder and authorize the purchase of a panel wall system and desks for the total price of \$11,649.  
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 89-525 adopted awarding bid. (Finance to handle)

CONSENT

13. Consider acceptance of bid and award of contract to George Reed, Inc., for the construction of Mildred Perkins Neighborhood Park. (Bids were opened April 25, 1989. The low bid of \$268,888, submitted by George Reed, Inc., is 2.06% 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 to George Reed, Inc., needed. Estimated cost: \$295,776 (contract - \$268,888; eng. & cont. - \$26,888) Funds are budgeted.)

ACTION: Res. 89-526 adopted awarding contract. (P/W to handle)

CONSENT

14. Consider waiving formal bid procedures and issuing a purchase order to Modesto Sand and Gravel to demolish a house and outbuildings and remove debris from 1355 Legion Park Drive for an amount not to exceed \$15,000. (Resolution waiving bid procedure and authorizing purchase order needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-527 adopted waiving formal bid procedures. (Finance to handle)

NEW BUSINESS

CONSENT

15. Consider approval of Transit Section's Disadvantaged Business Enterprise (DBE) Program and adoption of a goal of 13% DBE participation in transit contract awards for fiscal years 1988-89 and 1989-90. (Memo with agenda. The Transit Section's DBE Program has been modified to meet federal guidelines. UMTA requires adoption of an annual DBE goal. Resolution adopting DBE Program, authorizing the Mayor to sign the DEB Policy Statement included therein, and adopting a goal of 13% DBE participation for the two fiscal years.)

ACTION: Res. 89-528 adopted approving policy statement. (P/W to handle)

CONSENT

16. Consider adoption of a City Policy Against Harassment. (Memo with agenda. Resolution adopting City policy needed.)

ACTION: Res. 89-529 adopted adopting City policy. (Manager to handle)

CONSENT

17. Consider authorizing the City Manager to sign a service agreement with International Business Machines Corporation for the 4381 mainframe and peripheral equipment. (Memo with agenda. Resolution approving agreement needed. Estimated cost: \$46,422 per year. Funds are budgeted.)

ACTION: Res. 89-530 adopted approving agreement. (Finance to handle)

CONSENT

18. Consider approving "Self-Fueling Permit" for the Modesto City-County Airport and authorize the Airport Manager to sign the permit on behalf of the City.  
(Memo with agenda. Resolution approving "Self-Fueling Permit" needed.)

ACTION: Res. 89-531 adopted approving permit. (P/W to handle)

CONSENT

19. Consider contract between City of Modesto and Municipal Resource Consultants to provide sales tax audit services.  
(Memo with agenda. Resolution approving contract needed. No cost to City.)

ACTION: Res. 89-532 adopted approving contract. (Finance to handle)

CONSENT

20. Consider approving lease agreement with DiAnna Brothers for the lease of a portion of Dry Creek Park.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-533 adopted approving agreement. (Atty to handle)

21. Consider appropriating funds and adopting a proposed construction schedule or plan for capital facilities to be funded by the recently revised Capital Facilities Fees.  
(Memo with agenda. Resolution appropriating funds for capital facilities and resolution adopting proposed construction schedule or plan for capital facilities needed.)

ACTION: Res. 89-534 adopted (Lang/Sutton, unan.) appropriating funds for capital facilities.  
Res. 89-535 adopted (Lang/Sutton, unan.) approving construction schedule for capital facilities. (Finance to handle)

MISCELLANEOUS

Legislation

CONSENT

22. Staff recommends:

Support AB 1221 (Hauser) Redevelopment

Oppose:

- a. AB 949 (Polanco) Burglar and Fire Alarms - Prohibition on Local Agency Monitoring
- b. AB 1300 (Kelley) Water Meters
- c. SB 1082 (Kopp) Annexations and Detachment - LAFCO approval
- d. SB 1229 (B. Greene) Emergency 9-1-1 Telephone Calls

(Memo with agenda. Motion accepting recommendation needed.)

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

MATTERS TOO LATE FOR THE AGENDA

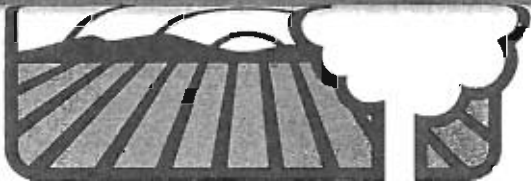
- 23. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 6:39 p.m.

ATTEST: Norrine Coyle  
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 6:45 p.m., May 9, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Sutton, Mayor Whiteside

Absent: None

The meeting adjourned at 6:50 p.m. to closed session to consider the evaluation of performance of public employees, pursuant to Government Code Section 54957.

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 9, 1989, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Tom Foster, St. Paul's Episcopal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 10, 11, 12, 13, 14,  
15, 16, 17, 19, 20, 21, 22, 23, 24,  
26, 27, 28,

Removed from consent: 9, 29

Dropped from agenda: 25

ACTION: (Lang/sutton, 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

Presentation by Ken Berns, Post-Newsweek, of the City of Modesto entry in the National League of Cities Arts & Entertainment Network City Video Contest, "Innovations."

The video to be entered into the contest was shown.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of May 2, 1989.  
(Motion approving needed.)

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.)

Warren Lawson discussed ways of increasing city revenues.

UNFINISHED BUSINESS

4. Further consideration of plans for Modesto a la Carte, June 17-18, 1989.  
(Memo with agenda.)

ACTION: By motion (Lang/McGrath, unan.) approved plan and request for assistance. (P/R to handle)

5. Follow-through for a residential option for the College West Neighborhood. (Memo with agenda. Staff recommends the attached letter be sent to the E.P.A. asking clarification on whether residential uses are permissible in the College West Neighborhood prior to sending a Request for Qualifications to E.I.R. consultants. Also attached is a Request for Qualifications for a consulting firm to prepare an updated College West EIR and General Plan Amendment. (Motion directing staff needed.)

ACTION: By motion (Patterson/Lang, majority, Irizarry and Whiteside - no) staff was directed to proceed with a request for qualifications for a consulting firm to prepare an updated E.I.R. and General Plan amendment. (Planning to handle)

CONSENT

6. Final adoption of Ordinance No. 2666-C.S., amending Section 12-3-8 of the Zoning Map to rezone from R-1 to P-D(464), property located on the south side of Standiford Avenue west of Prescott Road. (Lyon/Redev.) (Motion adopting needed.)

ACTION: By motion, Ordinance No. 2666-C.S. was adopted. (Clerk to handle)

HEARINGS

7. Continued hearing to consider the appeal of Tully Manor Investment Trust to Planning Commission conditions of approval for an amendment to Section 7-3-9 of the Zoning Map to amend P-D(21), and the appeal of Damrell, Damrell & Nelson, on behalf of Mr. and Mrs. Stephen T. Beneto, to the requirement of a 300 Foot Median on Standiford Avenue, located at the southeast corner of Tully Road and Standiford Avenue.

ACTION: By motion (Patterson/McGrath, unan.) hearing continued to May 23, 1989, at 7:30 p.m. (Clerk to handle)

8. Hearing to consider the proposed street name change from Budd Street to Mount Vernon Drive and street number changes.

ACTION: Res. 89-536 adopted (Patterson/Sutton, unan.) changing street name. (Planning to handle)

BIDS

9. Consider approval of plans and specifications and call for bids for the overlay of various City streets, 1989. (Suggested bid opening: May 30, 1989, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$571,427.53. (contract \$519,479.57; eng. & cont. \$51,947.96) Funds are budgeted.)

ACTION: Res. 89-537 adopted (Lang/Muratore, unan.) calling for bids. (P/W to handle)

CONSENT

10. Consider approval of plans and specifications and call for rebid for McHenry Mansion track lighting.  
(Suggested bid opening: May 30, 1989, at 11:05 a.m. Bids were originally to be opened April 25, 1989. No bids were received. Staff has contacted various local electrical contractors with inquiries as to the reason they did not submit bids. Timing was the major factor, and all contractors contacted assured staff that, if the project were rebid and the working days increased, they would be willing to bid the project. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$40,282. (contract - \$36,620; eng. & cont. - \$3,662) Funds are budgeted.)

ACTION: Res. 89-538 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider approving specifications and authorize the call for bids to be opened on May 30, 1989, at 3:05 p.m. for furnishing one mobile platform/stage.  
(Requested by the Parks & Recreation Department, the mobile platform/stage will be used at various locations throughout the city as required for programs and functions needing a temporary stage set up. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$32,000. Funds are budgeted.)

ACTION: Res. 89-539 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider approving specifications and authorize the call for bids to be opened on June 6, 1989, at 3:00 p.m. for furnishing janitorial service to the Centre Plaza, Housing Program Office, and American Legion Hall.  
(The Centre Plaza and American Legion Hall are used by the public and require continuous cleaning. The Housing Program Office is Federally funded and requires non-City janitorial services. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$60,000. Funds are budgeted.)

ACTION: Res. 89-540 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider declaring Eastman, Inc., low bidder on and authorize the purchase of 8,000 imprinted vinyl binders for the total cost of \$10,600.  
(Memo with agenda. Resolution declaring Eastman, Inc., low bidder and authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 89-541 adopted awarding bid. (Finance to handle)

CONSENT

14. Consider accepting Ace Concrete Service's contract for Project No. 17, curb, drive aprons and sidewalks at various locations. Original contract: \$94,933.22.  
(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: \$96,417.25. Funds are budgeted.)

ACTION: Res. 89-542 adopted accepting as complete. (Clerk to handle)

CONSENT

15. Consider accepting B & L Builders, Inc's contract for John Thurman Field grandstand renovation. Original contract: \$119,270.  
(All work on this project has been completed to the satisfaction of the Public Works and Transportation Department and the Parks and Recreation Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$125,906.74. Funds are budgeted.)

ACTION: Res. 89-543 adopted accepting work as complete. (Clerk to handle)

CONSENT

16. Consider accepting B & L Builders, Inc's contract for John Thurman Field women's restroom. Original contract: \$104,265.  
(All work on this project has been completed to the satisfaction of the Public Works and Transportation Department and the Parks and Recreation Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$112,958.50. Funds are budgeted.)

ACTION: Res. 89-544 adopted accepting work as complete. (Clerk to handle)

CONSENT

17. Consider accepting McDonald Glenn Co.'s contract for alterations to the Community Service Center on Morris Avenue. Original contract: \$46,649.  
(All work on this project has been completed to the satisfaction of the Public Works and Transportation Department and the Parks and Recreation Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$50,643. Funds are budgeted.)

ACTION: Res. 89-545 adopted accepting as complete. (Clerk to handle)

NEW BUSINESS

18. Consider acceptance of Modesto Surface Water Treatment Study report and appropriations for J. M. Montgomery Pilot Plant Study and URS Botanical Survey.  
(Memo with agenda. Motion accepting final report needed; resolution approving payment of \$173,600 to J. M. Montgomery needed; resolution approving payment of \$772 to URS needed; resolution approving payment of \$2,286 to M.I.D. needed. Estimated cost: \$176,658.)

ACTION: By motion, (McGrath/Sutton, unan.) final report accepted.  
Res. 89-546 adopted (same vote) approving payment to J.M. Montgomery.  
Res. 89-547 adopted (same vote) approving payment to URS.  
Res. 89-548 adopted (same vote) approving payment to M.I.D.  
(P/W to handle)

CONSENT

19. Consider Resolution No. 85-848, which accepted the Grand Street Bridge over Dry Creek, to include accepting the connecting roadway between Morton Boulevard and the proposed cul-de-sac at the Gallo Winery entrance.  
(Memo with agenda. Resolution accepting Grand Street bridge and connecting roadway between Morton Boulevard and proposed cul-de-sac at Gallo Winery entrance and superseding Resolution 85-848 needed.)

ACTION: Res. 89-549 adopted accepting the Grand Street Bridge over Dry Creek.  
(P/W to handle)

CONSENT

20. Presentation of 1989-90 Proposed Budget and Four-Year Capital Improvement Program 1989-90 through 1992-93, and consider setting public hearing concerning the budget.  
(Documents will be presented at the meeting. Resolution setting public hearing for June 13, 1989, at 7:30 p.m. needed.)

ACTION: Res. 89-550 adopted setting hearing. (Clerk to handle)

CONSENT

21. Presentation of monthly Treasurer's Report for April, 1989.  
(Copies of report with agenda. Motion acknowledging report needed.)

ACTION: By motion, report acknowledged.

CONSENT

22. Consider making a portion of the alley bounded by Coffee, Sunnyside, Locke, and Lucern one-way eastbound.  
(Memo with agenda. The changes involve making portions of the alley between Coffee, Sunnyside, Locke, and Lucern one-way eastbound. Resolution establishing one-way streets and alleys. Estimated cost: \$240. Funds are budgeted.)

ACTION: Res. 89-551 adopted establishing one-way streets and alleys.  
(P/W to handle)

CONSENT

23. Consider approving cooperative agreement No. 10-820 between City of Modesto and State of California for curb ramp project along Route 108 (McHenry Avenue) from Needham Avenue to Roseburg Avenue. (The City and State will share equal cost of 52 curb ramps needed to cross the State Highway where returns exist. The State, in a prior agreement, No. 797, (City Council Resolution No. 88-355) is to pay 100% of the cost of engineering and administration of the construction contract. These ramps will be constructed as HAC Curb Ramps - Project No. 6. Resolution approving the cooperative agreement needed, and resolution amending the budget to appropriate funds for new project needed. Estimated cost: \$98,600. (City - \$42,500; State - \$42,500 and \$13,600 for engineering). Funds are budgeted in the Community Development Block Grant Handicap Barrier Removal Fund.)

ACTION: Res. 89-552 adopted approving agreement.  
Res. 89-553 adopted amending the budget. (P/W to handle)

CONSENT

24. Consider authorizing the Culture Commission to present certificates to property owners who improve their property and make it a visual asset to the community. (Memo with agenda. Resolution approving program needed. Estimated cost: \$300. Funds are budgeted.)

ACTION: Res. 89-554 adopted approving program. (P/R to handle)

CONSENT

25. Consider approving an agreement with Uncle Charlie's Home for a one-year deferred payment loan to cover the additional costs of an Independent Living Program instead of the group home as approved by the City of Modesto on February 9, 1989, under the Community Development Block Grant program. (Memo with agenda. Reverend Crane wants to create an Independent Living Program to assist teenagers leaving foster care homes. Resolution approving agreement needed. Estimated cost: \$54,552. Funds are budgeted.)

Dropped from agenda.

CONSENT

26. Consider setting public hearing for proposed amendment to the General Plan Map to include an elementary school in the Orchard Neighborhood. (On April 17, 1989, the Planning Commission adopted Resolution No. 89-55 recommending to the City Council an amendment to the General Plan Map to include an elementary school in the Orchard Neighborhood. Resolution setting hearing on May 23, 1989, at 7:30 p.m. needed.)

ACTION: Res. 89-555 adopted setting hearing. (Clerk to handle)

CONSENT

27. Consider setting public hearing for proposed amendment to the General Plan Map to include a junior high school in the Bret Harte Neighborhood. (On April 17, 1989, the Planning Commission adopted Resolution No. 89-57 recommending to the City Council an amendment to the General Plan Map to include a junior high school in the Bret Harte Neighborhood. Resolution setting hear on May 23, 1989, at 7:30 p.m. needed.)

ACTION: Res. 89-556 adopted setting hearing. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

28. Letter from Hal Sconyers, President of Modesto Rotary Club, requesting permission to for the Club and the Stanislaus County Area Agency on Aging to rebuild Mancini Hall for use as a senior center and a rehearsal site with storage capacity for the Band and Symphony. (Memo with agenda. Resolution approving request needed.)

ACTION: Res. 89-557 adopted approving request. (P/R to handle)

MISCELLANEOUS

Councilmember Lang excused at 9:25 p.m.

Legislation

29. Staff recommends support of SB 1050 (Torres) Aboveground Storage Tanks

Staff recommends opposition to:

AB 1795 (Moore) Utility Users Tax - Telephone Services

AB 2400 (Hannigan) Transient Occupancy Tax

SB 105 (Russell) and SCA 3 (Russell) Property Tax Reappraisal

SB 1369 (Watson) Transient Occupancy Tax

Staff recommends opposing, unless amended, AB 1552 (Calderon) Redevelopment - Mandatory Percentage Expenditure for Low-Income Housing

(Motion approving recommendations needed.)

ACTION: By motion (Muratore/Irizarry, unan., Lang absent) recommendations approved.

SB 1127 (Cecil Green) Binding Arbitration for Police and Fire  
(A motion (McGrath) to support died for lack of a second)

ACTION: By motion (McGrath/Patterson, unan., Lang absent) it was agreed to  
not take a position on this bill.

Appointments

30. Consider appointments to the Board of Zoning Adjustment.

ACTION: Res. 89-558 adopted (Patterson/Irizarry, unan., Lang absent)  
appointing Jerry Matsunaga. (Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

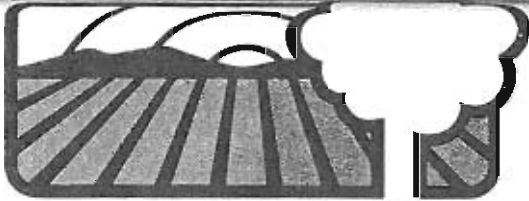
31. (These may be presented by members of the City Council and staff upon  
determination that an emergency exists, as defined by State law, or that  
the need to take action on the matter arose subsequent to the publishing  
of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 9:35 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 a special session at 3:00 p.m., May 15, 1989, in the Council Chambers, City Hall, Modesto, California, to study the budget and to hold a closed session.

Present: Councilmembers Irizarry, Lang, McGrath, Patterson, Sutton

Councilmember Lang arrived at 3:10 p.m.  
Councilmember Patterson arrived at 3:35 p.m.  
Councilmember Irizarry arrived at 4:05 p.m.

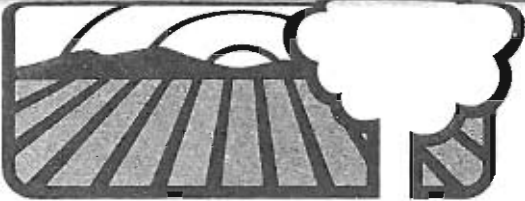
ABSENT: Councilmember Muratore, Mayor Whiteside

The meeting adjourned at 3:05 due to lack of a quorum. Councilmembers present sat as a committee to review the proposed 1989-90 budget. The meeting convened at 3:35 p.m.

The Director of Finance reviewed the revenue estimates and expenditures in the General Fund.

The meeting adjourned at 4:10 p.m. to closed session to consider the evaluation of performance of public employees, pursuant to Government Code Section 54957.

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, MAY 16, 1989, AT 4:00 P.M.

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

Councilmember Patterson arrived at 4:10 p.m.

Absent: Councilmember Muratore

Pledge of allegiance to the Flag

Invocation: Rev. Ross Briles, Sherwood Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 9, 10, 11, 12, 13, 14,  
17, 18, 21, 21A, 25

ACTION: (Sutton/Irizarry, unan., Muratore and Patterson absent)

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Item 19  
(Councilmember Irizarry excused due  
to a conflict of interest.)

ACTION: (McGrath/Lang, unan., Irizarry, 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.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Introduction of Mayor Anne Clarke from Modesto's Sister City of Vernon, B. C., Canada.

John Bree introduced Mayor Ann Clarke.

Mayor Whiteside introduced Boy Scout Troop 12 members and Scoutmaster.

MINUTES

CONSENT

2. Approval of the minutes of the special and regular City Council meetings of May 9, 1989.  
(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 an amendment to Section 8-4-9 of the Zoning Map to rezone from R-2 to R-1, property located on the north side of Hatch Road between Ustick Road and Boise Avenue. (R.M.S.C., Inc.)

ACTION: By motion (McGrath/Irizarry, unan., Muratore absent) hearing continued to June 27, 1989, 7:30 p.m. (Clerk to handle)

5. Hearing to consider an amendment to Section 27-3-9 of the Zoning Map to rezone from R-2 to P-D(300), as an addition to P-D(300), property located on the west side of Sunnyside Avenue north of Scenic Drive. (Scenic Nursery)

ACTION: By motion (McGrath/Sutton, unan., Muratore absent), Ordinance No. 2667-C.S. introduced amending the zoning map.  
Res. 89-559 adopted (McGrath/Sutton, unan., Muratore absent) approving development plan.  
Res. 89-560 adopted (McGrath/Sutton, unan., Muratore absent) certifying review of environmental assessment.  
(Clerk/Planning to handle)

6. Hearing to consider an amendment to Sections 14-3-9 and 23-3-9 of the Zoning Map to rezone from R-2 to R-1, property located on the east side of Walnut Crest Way south of Merle Avenue and north of Briggsmore Avenue. (Planning Commission Initiated)

ACTION: By motion (Lang/McGrath, unan., Muratore absent), Ordinance No. 2668-C.S. introduced amending the Zoning Map.  
Res. 89-561 adopted (Lang/McGrath, unan., Muratore absent)  
certifying review of environmental assessment.  
(Clerk/Planning to handle)

### BIDS

#### CONSENT

7. Consider approving specifications and Notice to Bidders for the sale of two parcels of excess land.  
(Memo with agenda. Suggested bid opening: July 18, 1989, at 10:00 a.m. Resolution approving specifications and Notice to Bidders needed.)

ACTION: Res. 89-562 adopted approving specifications and notice to bidders.  
(Attorney to handle)

#### CONSENT

8. Consider approval of plans and specifications and call for rebid of the McHenry Mansion masonry wall.  
(Suggested bid opening: May 30, 1989, at 11:10 a.m. Bids were originally to be opened May 21, 1989. No bids were received. Staff has contacted several local fencing contractors inquiring as to the reason for their not submitting bids. It has been determined that if the specifications were revised to allow additional alternates and the project were rebid, they would be willing to submit bids. Staff feels confident that if the project is rebid, acceptable bids will be received. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$9,200. (contract - \$8,000; eng. & cont. - \$1,200) Funds are budgeted.)

ACTION: Res. 89-563 adopted approving plans and specifications and calling for bids.  
(Public Works & Trans. to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened June 6, 1989, at 3:00 p.m., for furnishing one new truck cab and chassis.  
(Requested by the Public Works Service Division, the truck will be used by the Water Division for routine and emergency water service repairs throughout the City. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$18,000. Funds are budgeted.)

ACTION: Res. 89-564 adopted approving specifications and calling for bids.  
(Finance to handle)

CONSENT

10. Consider approving specifications and authorize call for bids to be opened June 6, 1989, at 3:05 p.m., for furnishing one new gas powered air compressor.  
(Requested by the Public Works Service Division, the compressor will be mounted on a Water Division service truck and used to power tools and other equipment at various job sites throughout the City. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$12,500. Funds are budgeted.)

ACTION: Res. 89-565 adopted approving specifications and calling for bids.  
(Finance to handle)

CONSENT

11. Consider declaring Shape, Inc., sole bidder and authorize the purchase of one submersible pump and driver for the total price of \$37,118.  
(Memo with agenda. Resolution approving purchase needed. Funds are budgeted.)

ACTION: Res. 89-566 adopted declaring Shape, Inc., sole bidder and authorizing purchase.  
(Finance to handle)

CONSENT

12. Consider declaring B & J Enterprises low bidder and authorize the purchase of two infrared hearing augmentation systems for the total price of \$19,341.  
(Memo with agenda. Resolution approving purchase needed. Funds are budgeted.)

ACTION: Res. 89-567 adopted authorizing purchase.  
(Finance to handle)

CONSENT

13. Consider declaring Airmatic Systems International lowest responsible and technically responsive bidder and authorize the purchase of a pneumatic pruning system for the total price of \$7,393.50.  
(Memo with agenda. Resolution approving purchase needed. Funds are budgeted.)

ACTION: Res. 89-568 adopted authorizing purchase. (Finance to handle)

CONSENT

14. Consider acceptance of Western Stone Products, Inc.'s, contract for Highway Village street and storm drain improvements. Original contract: \$179,391.  
(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: \$216,204.36. Funds are budgeted.)

ACTION: Res. 89-569 adopted accepting contract. (Clerk to handle)

NEW BUSINESS

15. Consider request of Mr. & Mrs. Norman Onkst, 2713 Veneman Avenue, for waiver of sewer connection requirements and staff recommendation of time payments of sewer connections charges.  
(City is requiring property owner to install curb and sidewalk and to connect all dwellings to sanitary sewer. Staff is recommending approval of time payments. Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 89-570 adopted (Lang/Sutton, unan., Muratore absent) approving agreement. (Public Works & Trans. to handle)

16. Consider request for water service to property located on the north side of Bangs Avenue west of McHenry Avenue.  
(The property owner, SDS Associates, has requested water service. Staff considers it appropriate that Council have the opportunity to review the policy of City water service to County areas prior to any water main extensions. Memo with agenda. Motion directing staff whether to proceed with water service needed. No City funds involved.)

ACTION: By motion (Lang/McGrath, unan., Muratore absent), staff directed to proceed with documents to provide water service to the property, and to look at the cost of providing water outside of the City limits.  
(Public Works & Trans. to handle)

CONSENT

17. Consider authorizing the City Manager to execute a purchase agreement with Elmo E. and Bertha C. Wilson for property for the Police facilities expansion.  
(Memo with agenda. Resolution approving purchase agreement needed.  
Estimated cost: \$280,000. Funds are budgeted.)

ACTION: Res. 89-571 adopted approving purchase agreement. (Police to handle)

CONSENT

18. Consider amendment to agreement with Modesto & Empire Traction Company to increase its share of the Morton Boulevard trestle modification project costs.  
(Memo with agenda. The original agreement with M. & E. T. required it to pay up to \$31,800. The revised project costs indicate its share should not be \$91,756. Resolution approving amendment to the agreement needed.  
Estimated cost: \$423,512 (Caltrans grant - \$240,000; M. & E. T. - \$91,756; City - \$91,756). Funds are budgeted.)

ACTION: Res. 89-572 adopted approving amendment to agreement.  
(Public Works & Trans. to handle)

CONSENT - COUNCILMEMBER IRIZARRY WILL BE EXCUSED DUE TO A CONFLICT OF INTEREST

19. Report of Superintendent of Streets on the cost of installation of curb and/or sidewalk at the following locations:
- a. Curb and sidewalk along Monterey Avenue and Santa Cruz Avenue at 802 Santa Cruz Avenue, Lot 7 of Block 2071. (Roy E. Chipps, \$3,763.00)
  - b. Curb and sidewalk at 1316 Monterey Avenue, Lot 6 of Block 2071. (Ruben Morales, \$1,214.00)
  - c. Curb and sidewalk at 1320 Monterey Avenue, Portion of Block 2071. (Shirley Garrity, \$1,425.00)
  - d. Curb and sidewalk at 1324 Monterey Avenue, Lot 4 of Block 2071. (Donna M. Durling, \$1,230.00)
  - e. Curb and sidewalk at 1328 Monterey Avenue, Lot 3 of Block 2071. (Rodney C. and Marcia A. Bonnell, \$1,264.00)
  - f. Curb and sidewalk at 1336 Monterey Avenue, Lot 2 of Block 2071. (Richard Hodnett, \$2,034.00)
  - g. Curb and sidewalk along Monterey Avenue at 1402 Monterey Avenue, Lot 27 of Block 2110. (Odilon V. and Guillermina Rodriquez, \$1,797.00)
  - h. Curb and sidewalk at 1414 Monterey Avenue, Lot 25 of Block 2110. (Elma A. Blakely, \$1,130.00)

- i. Curb and sidewalk along Monterey Avenue at 1418 Monterey Avenue, Lot 1 and 2 of Block 2110. (Fred and Juanita Sullivan, \$2,167.00)
- j. Curb and sidewalk along Monterey Avenue at 1502 Monterey Avenue, Lot 1 of Block 2111. (Mark L. Morphy, \$1,452.00)
- k. Curb and sidewalk at 1508 Monterey Avenue, Lot 2 of Block 2111. (Effie Beeks, \$1,434.00)
- l. Curb and sidewalk at 1516 Monterey Avenue, Lot 3 of Block 2111. (Creed J. Rone, \$1,157.00)
- m. Curb and sidewalk along Monterey Avenue at 1634 Monterey Avenue, Portion of Block 2114. (Efiginia Irizarry, \$2,011.00)
- n. Curb and sidewalk along Monterey Avenue at 1708 Monterey Avenue, Lots 13 and 14 of Block 2142. (Joel Zuniga, \$3,069.00)
- o. Curb and sidewalk at 1710 Monterey Avenue, Lot 15 of Block 2142. (John Valdez, \$1,009.00)
- p. Curb and sidewalk at 1714 Monterey Avenue, Lot 16 of Block 2142. (Roberto G. Bautista, \$1,419.00)
- q. Curb and sidewalk at 1718 Monterey Avenue, Lot 17 of Block 2142. (Manuel A. Madrigal, \$1,253.00)
- r. Curb and sidewalk at 1726 Monterey Avenue, Lot 19 of Block 2142. (Francisco C. Avila, \$1,367.00)
- s. Curb and sidewalk at 1730 Monterey Avenue, Lot 20 of Block 2142. (Nancy Griffith, \$1,168.00)
- t. Curb and sidewalk at 1734 Monterey Avenue, Lot 21 of Block 2142. (Jose G. Salas, \$1,279.00)
- u. Curb and sidewalk at 1738 Monterey Avenue, Lot 22 of Block 2142. (Harlin Harris, \$1,292.00)
- v. Curb and sidewalk at 1742 Monterey Avenue, Lot 23 of Block 2142. (Joe R. Murray, \$1,226.00)
- w. Curb and sidewalk along Monterey Avenue at 1746 Monterey Avenue, Lot 24 of Block 2142. (Jaime Fonseca, \$1,495.00)
- x. Curb and sidewalk along Monterey Avenue at 1307 Monterey Avenue, Portion of Block 4. (Ronald A. Resh, \$1,475.00)
- y. Curb and sidewalk at 1311 Monterey Avenue, Portion of Block 4. (Lloyd Briscoe, \$1,391.00)

- z. Curb and sidewalk at 1319 Monterey Avenue, Portion of Block 4. (Alvyn A. Stohler, \$1,040.00)
- aa. Curb and sidewalk along Monterey Avenue at 747 Kerr Avenue, Lot 13 of Block 2076. (Guadalupe Espinoza, \$3,213.00)
- bb. Curb and sidewalk along Monterey Avenue at 1501 Monterey Avenue, Portion of Block 2108. (Jerry D. Reese, \$2,120.00)
- cc. Curb and sidewalk at 1507 Monterey Avenue, Portion of Block 2108. (Robbins Zandy Investors, \$1,325.00)
- dd. Curb and sidewalk along Monterey Avenue at 747 Thrasher Avenue, Lot 13 of Block 2108. (Leo Tharp, \$3,240.00)
- ee. Curb and sidewalk along Monterey Avenue at 1611 Monterey Avenue, Lots 14 and 15 of Block 2116. (Bipan K. Kochhar, \$4,583.00)
- ff. Curb and sidewalk along Monterey Avenue and along Empire Avenue at 1711 Monterey Avenue, Portion of Block 2141. (Abelardo and Marie Morales and Fredrick and Diane Morales, \$4,884.00)
- gg. Curb and sidewalk along Monterey Avenue at 1719 Monterey Avenue, Portion of Block 2141. (Robert J. Meisenbach, \$3,737.00)

(Required work has been completed. Resolution setting hearing June 13, 1989, at 7:30 p.m. needed.)

ACTION: Res. 89-573 adopted setting hearing. (Clerk to handle)

CONSENT

- 21. Consider authorizing Staff to request proposals from bridge design engineers for the design of the Claus Road bridge widening and signalization of the Claus/Scenic intersection. (This is the first step in the selection process for engaging consulting engineers. The construction of the new high school as well as development in the Yosemite Neighborhood will increase the need for a wider bridge and improved intersection at Claus and Scenic. The source of funds for this project is the Capital Facilities Fees. Resolution authorizing staff to proceed with the request for proposals needed.)

ACTION: Res. 89-574 adopted authorizing Staff to proceed. (Public Works & Trans. to handle)

CONSENT

21A. Consider approving an agreement with Roger Ernst & Associates to auction partial equipment and inventory of the Happy Bake Shop, which is in default by bankruptcy on a City business loan under the Economic Development Revolving Loan Fund.

(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-575 adopted approving agreement (Planning to handle)

WRITTEN COMMUNICATIONS

22. Letter from Gene Radino, Director of Recovery Systems Associates, concerning solutions to alcohol and drug problems in the community.

No action taken.

23. Letter from John Harris, Central Valley Why Wait Task Force, concerning a sound permit for an outdoor concert on June 10, 1989.

No action taken on the request. By order of the Chair, staff directed to look into regulating sound levels of car radios. (Attorney to handle)

24. Letter from Wanda Mathews and Gary P. Gilroy, Beyer High School Band, requesting \$1,500 for a band trip to Washington, D. C. in June.

ACTION: Res. 89-576 adopted (Lang/Irizarry, unan., Muratore absent) approving request. (Finance to handle)

MISCELLANEOUS

Legislation

CONSENT

25. Staff recommends:

- a. Supporting AB 1358 (Frizzelle) Fines & Forfeitures Revenue
- b. Opposing SB 1267 (Davis) Brown Act - Mandatory Recording of Closed Sessions

Memo with agenda. Motion approving recommendations needed.)

ACTION: By motion, recommendations approved. (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

ADJOURNMENT

The meeting adjourned at to the 4th Floor Conference Room, City Hall, 801 11th Street, Modesto, California, for a study session to review Council traffic policy and recent legislative changes to C.E.Q.A., and then to Monday, May 22, 1989, at 4:00 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to review the proposed 1989-90 operating budget.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

City Hall  
801 11th Street  
Modesto, California

The Council of the City of Modesto convened in an adjourned session at 5:15 p.m., May 16, 1989, in the Fourth Floor Conference Room, City Hall, Modesto, California, for a study session concerning traffic policies.

Present: Councilmembers Irizarry, Lang, McGrath, Patterson, Sutton, Mayor Whiteside

Councilmember Lang excused at 5:45 p.m.

ABSENT: Councilmember Muratore

The City Council and staff discussed the California Environmental Quality Act (CEQA) process and recent legislation, and the City policies concerning traffic and possible solutions to traffic problems.

The meeting adjourned at 8:15 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 adjourned session at 4:00 p.m., May 22, 1989, in the Council Chambers, City Hall, Modesto, California, for a budget study session.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Sutton, Mayor Whiteside

Councilmember McGrath arrived at 4:10 p.m.

Councilmember Muratore arrived at 4:14 p.m.

Councilmember Patterson arrived at 4:24 p.m.

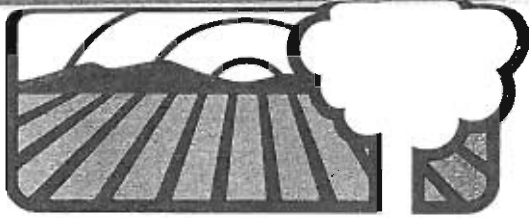
Councilmember Lang excused at 5:30 p.m.

ABSENT: None

The Council reviewed the budgets of all of the special funds.

The meeting adjourned at 6:00 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 23, 1989, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Father William Myers, Our Lady of Fatima Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 11, 12, 14, 19,  
20, 21, 22, 23, 24, 25, 26, 27, 28,  
29, 30, 31, 34, 35, 36

Removed from consent: 13, 18

ACTION: (Muratore/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.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Whiteside announced that June 3, 1989, is the 20th anniversary of Ecology Action.

MINUTES

CONSENT

2. Approval of the minutes of the special City Council meeting of May 15, 1989, the regular and adjourned City Council meetings of May 16, 1989. (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. 2667-C.S. amending the Zoning Map to rezone from R-2 to P-D(300), as an addition to P-D(300), property located on the west side of Sunnyside Avenue north of Scenic Drive (Scenic Nursery)
  - b. Ordinance No. 2668-C.S. amending the Zoning Map to rezone from R-2 to R-1, property located on the east side of Walnut Crest Way south of Merle Avenue and north of Briggsmore Avenue.

(Motion adopting needed.)

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

HEARINGS

5. Hearing to consider the City's Community Development Block Grant Application for Fiscal Year 1989-90. (Continued from May 2, 1989, City Council meeting.)

ACTION: Res. 89-577 adopted (Lang/Patterson, unan.) approving all recommendations except for the one concerning United Way/Senior Aides.  
Councilmembers Patterson, Sutton, and Mayor Whiteside excused due to conflicts of interest.  
Res. 89-578 adopted (Lang/McGrath, unan., Patterson, Sutton, and Mayor Whiteside absent) approving recommendation concerning United Way/Senior Aides.

6. Continued hearing to consider the appeal of Tully Manor Investment Trust to Planning Commission conditions of approval for an amendment to Section 7-3-9 of the Zoning Map to amend P-D(21), and the appeal of Damrell, Damrell & Nelson, on behalf of Mr. and Mrs. Stephen T. Beneto, to the requirement of a 300 Foot Median on Standiford Avenue, located at the southeast corner of Tully Road and Standiford Avenue.  
(Continued from the May 9, 1989, Council meeting.)

ACTION: By motion (Sutton/Muratore, unan.) hearing continued to June 6, 1989, at 4:00 p.m. (Clerk to handle)

7. Hearing to consider an amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 to P-D(454), property located on the southwest corner of Brigsmore Avenue and Oakdale Road. (Warner Soelling)

ACTION: By motion (Lang/Muratore, unan.) continued hearing to June 6, 1989, at 4:00 p.m. (Clerk to handle)

8. Hearing to consider establishing fees in connection with Self-Fueling Permits at the Airport, including a one-time administrative fee, an annual fuel flowage fee based on horsepower of aircraft, and an annual refueling tank inspection fee.

A motion (Irizarry) to approve fees died for the lack of a second.

ACTION: By motion (Lang/Patterson, majority, Irizarry-no) referred to staff. By order of the Chair, the matter is to be returned to Council in July. (P/W to handle)

9. Hearing to consider an amendment to the General Plan Map to include an elementary school in the Orchard Neighborhood.

ACTION: Res. 89-579 adopted (Lang/Sutton, majority, Patterson-no) amending General Plan. (Planning to handle)

10. Hearing to consider an amendment to the General Plan Map to include a junior high school in the Bret Harte Neighborhood.

ACTION: By motion (McGrath/Lang, unan.) hearing continued to June 13, 1989,  
at 7:30 p.m. (Clerk to handle)

#### BIDS

##### CONSENT

11. Consider approval of plans and specifications and call for bids for curb ramps - Project No. 6, to complete the remaining portion of McHenry Avenue from Needham Avenue to Roseburg Avenue.  
(Suggested bid opening: June 13, 1989, at 11:05 a.m. The City and State will share equal cost of 52 curb ramps needed to cross the State Highway where returns exist, in accordance with cooperative agreement No. 10-820 approved May 9, 1989. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$98,600 (City - \$42,500; State - \$42,500; Eng. (State) - \$13,500) Funds are budgeted.)

ACTION: Res. 89-580 adopted calling for bids. (P/W to handle)

##### CONSENT

12. Consider approval of plans and specifications and call for bids for extension of water line on Walker Avenue.  
(Suggested bid opening: June 6, 1989, at 11:00 a.m. This work will extend the water line on Walker Avenue which will strengthen the water system in the area and make water available to residents who are currently experiencing water problems. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$14,760 (contract - \$12,300; Eng.& cont. - \$2,460) Funds are budgeted.)

ACTION: Res. 89-581 adopted calling for bids. (P/W to handle)

13. Consider approving specifications and call for bids for furnishing heating, ventilating and air conditioner maintenance service to the Centre Plaza.  
(Suggested bid opening: June 20, 1989, at 3:00 p.m. Requested by Parks and Recreation, this is to provide monthly preventive and emergency maintenance service. Resolution approving specifications and call for bids needed. Estimated cost: \$20,000. Funds are budgeted.)  
Councilmember McGrath excused due to a conflict of interest.

ACTION: Res. 89-582 adopted (Lang/Sutton, unan.) calling for bids.  
(Finance to handle)

CONSENT

14. Consider approving plans and specifications and call for bids for traffic signal modifications at six intersections to allow for time-based coordination for the FETSIM Project.  
(Suggested bid opening: June 6, 1989, at 11:05 a.m. Memo with agenda. This project will reduce stops by traffic and replace signal controllers that are no longer appropriate for current traffic demands. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$90,000 (City - \$35,000; State - \$55,000). Funds are partially budgeted. Additional funds will be requested after bids are opened and an accurate estimate is available..)

ACTION: Res. 89-583 adopted calling for bids. (P/W to handle)

NEW BUSINESS

15. Report by the Keith French Group/Halsey/Daray Golf Joint Venture on schematics for the new municipal 18-hole golf course in Dry Creek Park. (Two informal public hearings have been held. The input from these meetings has been incorporated into the schematic plan being presented to Council. Motion approving schematic plan for 18-hole municipal golf course in Dry Creek Park needed.)

ACTION: By motion (Lang/Muratore, unan.) approving plan. (P/R to handle)

16. Consider an agreement for architectural services for the Dry Creek Golf Course clubhouse.  
(The Golf Course Architectural Selection Committee is recommending approval of an agreement with Pacific Design Associates, Inc., for architectural services. Memo with agenda. Resolution approving agreement, and resolution amending 1988-89 budget needed. Estimated cost: \$9,000.)

ACTION: Res. 89-584 adopted (Patterson/McGrath, unan.) approving agreement.  
Res. 89-585 adopted (same vote) amending 1988-89 budget.  
(P/R and Finance to handle)

17. Consider accepting staff position paper on Del Este Water Company acquisition, in lieu of contracting with Boyle Engineering for a feasibility study.  
(Memo with agenda. Motion accepting staff report needed.)

ACTION: By motion (Muratore/Lang, unan.) staff report accepted.

18. Consider authorizing retention of outside legal counsel for M.I.D. - City of Modesto - Del Este surface water treatment program.  
(Memo with agenda. Resolution approving agreement with Bartkiewicz, Kronik & Shanahan as special counsel for the Surface Water Treatment and Delivery Project needed. Funds are budgeted.)

ACTION: Res. 89-586 adopted (Patterson/Sutton, unan.) approving agreement.  
(Atty to handle)

CONSENT

19. Consider approving an agreement to determine acreage for calculation of Sewer Bond Redemption Charges for property located at the northeast corner of Garner Road and Leckron Road based on criteria set forth in Section 5-6.04 of the Modesto Municipal Code. Owner: Z & A Foods, Inc.  
(Memo with agenda. Z & A Foods, Inc., has signed an agreement verifying that the minimum criteria as required by Section 5-6.04 will be met within two years from the date of final occupancy. The developed acreage is the total square feet of building area which is the acreage that will be used to calculate the Sewer Bond Redemption Charge. Resolution approving agreement needed.)

ACTION: Res. 89-587 adopted approving agreement. (P/W to handle)

CONSENT

20. Consider authorizing the City Manager to execute a grant reapplication for third 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. Estimated cost: \$19,800.)

ACTION: Res. 89-588 adopted authorizing grant reapplication.  
(Police to handle)

CONSENT

21. Consider request for water service to property outside City limits at 1349 Walker Avenue, located on the south end of Walker Avenue, south of Shaddox Avenue. Owners: Herbert Brownlee, Jr., and Lois I. Brownlee.  
(Memo with agenda. The property owners have signed an agreement to annex when requested to do so by the City. The property is not contiguous to City. Water to be extended by City. Resolution approving agreement needed.)

ACTION: Res. 89-589 adopted approving agreement. (P/W to handle)

CONSENT

22. Consider request for water service to property outside City limits at 1401 - 1401 1/2 Walker Avenue, located on the west side of Walker Avenue, south of Shaddox Avenue. Owners: Grace Walker.  
(Memo with agenda. The property owners have signed an agreement to annex when requested to do so by the City. The property is not contiguous to City. Water to be extended by City. Resolution approving agreement needed.)

ACTION: Res. 89-590 adopted approving agreement. (P/W to handle)

CONSENT

23. Consider request for water service to property outside City limits at 1403 Walker Avenue, located on the west side of Walker Avenue, south of Shaddox Avenue. Owners: Grace Walker.  
(Memo with agenda. The property owners have signed an agreement to annex when requested to do so by the City. The property is not contiguous to City. Water to be extended by City. Resolution approving agreement needed.)

ACTION: Res. 89-591 adopted approving agreement. (P/w to handle)

CONSENT

24. Consider request for water service to property outside City limits at 1405 Walker Avenue, located on the west side of Walker Avenue, south of Shaddox Avenue. Owners: Grace Walker.  
(Memo with agenda. The property owners have signed an agreement to annex when requested to do so by the City. The property is not contiguous to City. Water to be extended by City. Resolution approving agreement needed.)

ACTION: Res. 89-592 adopted approving agreement. (P/W to handle)

CONSENT

25. Consider request for water service to property outside City limits at 1407 Walker Avenue, located on the west side of Walker Avenue, south of Shaddox Avenue. Owners: Grace Walker.  
(Memo with agenda. The property owners have signed an agreement to annex when requested to do so by the City. The property is not contiguous to City. Water to be extended by City. Resolution approving agreement needed.)

ACTION: Res. 89-593 adopted approving agreement. (P/W to handle)

CONSENT

26. Consider excusing Councilmember Muratore for being absent from the May 16, 1989, meeting due to his representing the City and the Stanislaus Area Association of Governments at a Council of Governments conference.  
(Motion excusing absence needed.)

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

CONSENT

27. Consider approving an appropriation transfer to provide for conference expenses and related expenses for the Mayor of Vernon, B. C., and for return air fare for a Soviet exchange teacher.  
(Memo with agenda. Expenses will be paid from funds raised by the International Friendship Committee. Estimated cost: \$1,000.)

ACTION: Res. 89-594 adopted approving appropriation transfer.  
(Finance to handle)

CONSENT

28. 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 \$3,597,160. Resolution authorizing submission of Annual Transportation Claim needed.)

ACTION: Res. 89-595 adopted authorizing submission of Annual Transportation Claim.  
(Finance to handle)

CONSENT

29. Consider amendment to agreement with Dowling Transportation Engineering (DTE) to provide additional consulting services in the development of Capital Facilities Fees for traffic impacts, and consider a fund transfer.  
(Memo with agenda. Additional work by DTE in the amount of \$16,850 is needed for the CFF consultant. Funds are available in the Capital Facilities Fees Contingency Reserve, requiring an appropriation transfer. Resolution approving amendment to agreement and resolution approving appropriation transfer needed.)

ACTION: Res. 89-596 adopted approving amended agreement.  
Res. 89-597 adopted approving appropriation transfer.  
(P/W to handle)

CONSENT

30. Consider request from the Yosemite Community College District for the City of Modesto to contribute one-half the cost to resurface the Modesto Junior College swimming pool.  
(Memo with agenda. Motion approving request and resolution approving appropriation transfer needed. Estimated cost: \$10,000.)

ACTION: By motion, request approved.  
Res. 89-598 adopted approving appropriation transfer.  
(P/R to handle)

CONSENT

31. Consider approving an increase in fees and charges at the Modesto Airport for offices, hangars, and tie-down fees.  
(Memo with agenda. Resolution approving increase needed.)

ACTION: Res. 89-599 adopted approving increase. (P/W to handle)

32. Consider authorizing establishment of a Joint Powers Agency agreement for financing of the waste-to-energy project.  
(Memo with agenda. Resolution approving agreement or motion directing staff needed.)

ACTION: By motion (Lang/Muratore, unan.) directed staff to proceed with joint powers agreement. (Atty to handle)

WRITTEN COMMUNICATIONS

33. Letter from Les Dabritz, Chief Executive Officer of the Modesto Chamber of Commerce, concerning appointment of an alternate representative to the Charter Review Committee.

ACTION: By motion (Lang/Muratore, unan.) allowed appointment of alternate representative to the Charter Review Committee.

CONSENT

34. Letter from Mid-Valley Engineering and Memorial Hospital Association requesting abandonment of a portion of Spanos Court.  
(Motion referring request to Planning Commission for recommendation needed.)

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

CONSENT

35. Letter from the Downtown Improvement District requesting use of downtown sidewalks for selling merchandise on June 2, 3, and 4, 1989.  
(Motion approving request needed.)

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

MISCELLANEOUS

Legislation

CONSENT

36. Staff recommends:

- a. Supporting SB 341 (Robbins) Several Liability for Public Entities
- b. Opposing AB 842 (Chacon) Initiative Measures
- c. Opposing/Seek Amendment to AB 1530 (Katz) Mandatory Liners for Landfills

(Motion approving recommendations needed.)

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

CLOSED SESSION

37. There will be a closed session to consider personnel matters regarding salaries, salary schedules and/or compensation paid in the form of fringe benefits of represented and unrepresented employees pursuant to Government Code Section 54957.6, to consider the evaluation of performance of certain public employees pursuant to Government Code Section 54957, and to consider possible litigation pursuant to Government Code Section 54956.9(b)(1).

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. to closed session as stated in Item 37.

ATTEST:   
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

City Hall  
801 11th Street  
Modesto, California

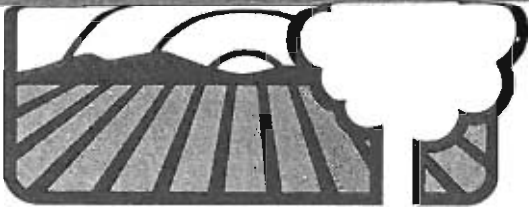
The Council of the City of Modesto met in a special session at 7:00 p.m., May 23, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Sutton, Mayor Whiteside

Absent: None

The meeting adjourned at 7:02 p.m. to closed session to consider the sale of real property, pursuant to Government Code Section 54956.8.

ATTEST: Norrine Coyle  
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 3:00 p.m., May 25, 1989, in the Council Chambers, City Hall, Modesto, California, for a budget study session.

Present: Councilmembers Irizarry, Lang, McGrath, Patterson, Sutton,  
Mayor Whiteside

Councilmember Lang arrived at 3:10 p.m.

Councilmember Patterson arrived at 4:10 p.m.

Absent: Councilmembers McGrath and Muratore

The meeting adjourned at 3:05 p.m. due to lack of a quorum.  
Councilmembers present sat as a Committee.

The City Council meeting convened at 3:10 p.m.

The Councilmembers reviewed the proposed Capital Improvement Program.

The meeting adjourned at 4:11 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 3:30 p.m., June 6, 1989, in the Council Chambers, City Hall, Modesto, California, to consider a downtown government district proposal.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Sutton, Mayor Whiteside

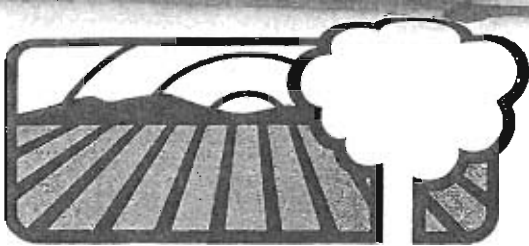
ABSENT: None

Representatives of Kaplan, McLaughlin and Dias, architects hired by the County for work on its social services building, discussed their "Downtown Government District" concept.

By motion (Sutton/Patterson, unan.), the City Manager was directed to work with the County Chief Administrative Officer toward establishing a downtown government district.

Meeting adjourned at 4:18 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, JUNE 6, 1989, AT 4:00 P.M.

Meeting convened at 4:18 p.m.

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

Absent: None

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

ACTION: (Lang/Sutton, 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

- a. Mayor Whiteside reminded the public that the voting poll would close at 8:00 p.m.

- b. Mayor Whiteside presented a commendation to Ruth Sesser for receiving an Honorable Mention in the Pillsbury's "Best Against Hunger" awards program.
- c. Gary Miller, U. S. Secret Service, presented commendations to the Parks Division of the Parks & Recreation Department, to the Field Operations Division of the Police Department, and to Chief Gerald McKinsey for their assistance when President Bush and Candidate Dukakis were in Modesto during "Campaign '88."
- d. Ed Walker introduced the newly appointed Deputy Director of Operations David Holton and Deputy Director of Transportation Roger Allington.
- e. Councilmember Muratore expressed sympathy for the families of the Chinese students who have been killed. Mayor Whiteside said the Modesto Junior College students are asking people to tie a red ribbon to their car antennas to show support for the Chinese students.

#### MINUTES

##### CONSENT

- 2. Approval of the minutes of the adjourned regular meeting of May 22, 1989, the special meeting of May 23, 1989, the regular meeting of May 23, 1989, and the special meeting of May 25, 1989.  
(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.)

Gabe Gamboa spoke about problems with tree roots.

HEARINGS

4. Continued hearing to consider the appeal of Tully Manor Investment Trust to Planning Commission conditions of approval for an amendment to Section 7-3-9 of the Zoning Map to amend P-D(21), and the appeal of Damrell, Damrell & Nelson, on behalf of Mr. and Mrs. Stephen T. Beneto, to the requirement of a 300 Foot Median on Standiford Avenue, located at the southeast corner of Tully Road and Standiford Avenue.  
(Continued from the May 9, and May 23, 1989, Council meetings.)

Councilmember McGrath excused due to a conflict of interest.

ACTION: Res. 89-600 adopted (Muratore/Irizarry, unan., McGrath absent)  
granting in part the appeal of Tully Manor Investment Trust.

Res. 89-601 adopted (Muratore/Irizarry, unan., McGrath absent)  
granting in part the appeal of Mr. & Mrs. Stephen T. Beneto.  
(Planning to handle)

5. Hearing to consider an amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 to P-D(454), property located on the southwest corner of Briggsmore Avenue and Oakdale Road. (Warner Soelling)  
(Continued from the May 23, 1989, Council meeting.)

ACTION: By motion (Lang/McGrath, unan.) it was agreed to delay discussion of this item to a later time in the meeting, as requested by the applicant.

My motion, (Muratore/Lang, unan.) Ordinance No. 2669-C.S. introduced amending the Zoning Map.

Res. 89-602 adopted (Muratore/Lang, unan.) approving the development plan.

Res. 89-603 adopted (Muratore/Lang, unan.) certifying review of the environmental assessment. (Clerk/Planning to handle)

6. Hearing to consider an amendment to P-D(444) to allow a two-story office complex on property located on the west side of Coffee Road and south of Sylvan Avenue. (Remax/Coffee Road Investors)

ACTION: Res. 89-604 adopted (Muratore/McGrath, unan.) approving the amendment to P-D(444).

Res. 89-604A adopted (Muratore/McGrath, unan.) certifying review of the environmental assessment. (Clerk & Planning to handle)

7. Hearing to consider an amendment to Section 8-4-9 of the Zoning Map to rezone from a portion of P-D(247) to R-1 and amending P-D(247) for a reduced agricultural/industrial development, property on the west side of Crows Landing Road and on the north side of Whitmore Avenue. (Phillip D. Overholtzer, Inc.)

ACTION: By motion (McGrath/Lang, unan.), Ordinance No. 2670-C.S. introduced amending the Zoning Map.

Res. 89-605 adopted (McGrath/Lang, unan.) approving development plan.

Res. 89-606 adopted (McGrath/Lang, unan.) certifying review of the environmental assessment. (Clerk/Planning to handle)

8. Hearing to consider an amendment to Section 25-3-8 of the Zoning Map to rezone from R-1 to P-D(437), as an addition to P-D(437) and a revised plan and development schedule for a neighborhood shopping center, property located on the north side of Kansas Avenue west of Carpenter Road. (Grant Construction Company, Inc.)

ACTION: By motion (Patterson/McGrath, unan.), Ordinance No. 2671-C.S. introduced amending the Zoning Map.

Res. 89-607 adopted (Patterson/McGrath, unan.) approving development plan.

Res. 89-608 adopted (Patterson/McGrath, unan.) certifying review of the environmental assessment. (Clerk/Planning to handle)

#### BIDS

#### CONSENT

9. Consider approving plans and specifications and calling for bids for the removal of underground fuel tanks at Fuel Island No. 2, Modesto City/County Airport.  
(Suggested bid opening: June 27, 1989, at 11:00 a.m. This project consists of the removal of 3 underground fuel tanks no longer in service and the replacement of asphalt surfacing. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$49,500. (contract - \$45,000; eng. & con. - \$4,500). Funds will be included in the 1989-90 budget.)

ACTION: Res. 89-609 adopted approving plans and specifications and calling for bids. (Public Works & Trans. to handle)

CONSENT

10. Consider approving specifications and calling for bids for furnishing bare root trees.  
(Suggested bid opening: June 27, 1989, at 3:00 a.m. Requested by the Trees Division of the Parks and 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 will be included in the 1989-90 budget.)

ACTION: Res. 89-610 adopted approving specifications and calling for bids.  
(Finance to handle)

CONSENT

11. Consider declaring American Engineering Laboratories, Inc., low bidder and authorize the purchase of annual compaction, aggregate, and concrete testing service requirements.  
(Memo with agenda. Resolution authorizing purchase needed. Estimated cost: \$6,125. Funds will be included in the 1989-90 budget.)

ACTION: Res. 89-611 adopted authorizing purchase. (Finance to handle)

CONSENT

12. Consider declaring Safe-T-Lite Company low bidder and authorize the purchase of annual street name sign requirements.  
(Memo with agenda. Resolution authorizing purchase needed. Estimated cost: \$19,809. Funds will be included in the 1989-90 budget.)

ACTION: Res. 89-612 adopted authorizing purchase. (Finance to handle)

CONSENT

13. Consider declaring All Pure Chemical low bidder and authorize the purchase of annual liquid chlorine requirements.  
(Memo with agenda. Resolution authorizing purchase needed. Estimated cost: \$293,070. Funds will be included in the 1989-90 budget.)

ACTION: Res. 89-613 adopted authorizing purchase (Finance to handle)

CONSENT

14. Consider declaring Crystal Pool Company low bidder and authorize the purchase of annual swimming pool chlorine and muriatic acid requirements.  
(Memo with agenda. Resolution authorizing purchase needed. Estimated cost: \$9,240. Funds will be included in the 1989-90 budget.)

ACTION: Res. 89-614 adopted authorizing purchase. (Finance to handle)

CONSENT

15. Consider declaring Valley Electric overall low bidder and authorize the purchase of annual dry cell battery requirements.  
(Memo with agenda. Resolution authorizing purchase needed. Estimated cost: \$2,900 (City portion). Funds will be included in the 1989-90 budget.)

ACTION: Res. 89-615 adopted authorizing purchase. (Finance to handle)

CONSENT

16. Consider declaring Fence Systems, Inc. low bidder and award contract for the McHenry Mansion masonry wall.  
(Memo and bid tabulation with agenda . The low bid is 4.55% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Fence Systems, Inc. Estimated cost: \$10,500. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 89-616 adopted awarding contract.  
(Public Works & Trans. to handle)

CONSENT

17. Consider declaring George Reed, Inc., low bidder and award contract for the overlay of various City streets, 1989..  
(Memo and bid tabulation with agenda . The low bid is 11.30% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Estimated cost: \$418,888. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 89-617 adopted awarding contract.  
(Public Works & Trans. to handle)

CONSENT

18. Consider authorizing the issuance of a blanket order to accept the offer by the Modesto Bee to print and publish the official legal advertising for one year beginning July 1, 1989, and ending June 30, 1990.  
(Memo with agenda. Resolution authorizing blanket order needed. Estimated cost: \$10,000. Funds will be included in the 1989-90 budget.)

ACTION: Res. 89-618 adopted authorizing issuance of blanket order.  
(Finance to handle)

CONSENT

19. Consider acceptance of Central Pump Co.'s contract for the construction of Pump Station No. 47. Original contract and final cost: \$115,019. (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. Funds are budgeted.)

ACTION: Res. 89-619 accepting contract as complete. (Clerk to handle)

CONSENT

20. Consider authorizing staff to issue requests-for-proposals for golf professional services at Dryden and Muni Golf Courses. (Memo with agenda. Motion authorizing requests-for-proposals needed.)

ACTION: By motion, requests-for-proposals authorized. (Parks & Recreation to handle)

CONSENT

21. Consider waiving formal bid procedures and authorize the purchase of traffic signal controllers and cabinets from Signal Control Sales Company for the total price of \$31,740. (Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative notes needed.) Resolution approving budget amendment to provide additional funds needed. Funds are partially budgeted.)

ACTION: Res. 89-620 adopted waiving formal bid procedures and authorizing purchase.  
Res. 89-620A adopted approving budget amendment. (Finance to handle)

NEW BUSINESS

CONSENT

22. Consider Resolution of Intention to vacate and abandon North Morton Boulevard between new State Highway 132 and Jennie Street. (On June 10, 1986, the City Council indicated its intent to close North Morton Boulevard between Jennie Street and new State Highway 132. Final action was delayed until after Caltrans established the alignment for new State Highway 132. The alignment for the new State highway was established in 1988. Planning staff recommends vacation and abandonment of the subject right-of-way. It is recommended that the Resolution of Intention be adopted setting June 27, 1989, at 7:30 p.m. as the time for the hearing. Memo with agenda. Resolution of Intention for vacation and abandonment needed. Estimated cost: \$350. Funds are budgeted.)

ACTION: Res. 89-621 adopted indicating intention to vacate and abandon right-of-way and setting hearing June 27, 1989, at 7:30 p.m. (Clerk to handle)

CONSENT

23. Consider approving copyright of the "Modesto Recycles" logo and authorize the City Manager to sign necessary documents.  
(Memo with agenda. Motion approving copyright procedures needed.  
Estimated cost: \$250. Funds are budgeted.)

ACTION: By motion, copyright procedures approved.  
(Public Works & Trans. to handle)

CONSENT

24. Consider request for water service to property outside City limits on the north side of Bangs Avenue, approximately 1,000 feet west of McHenry Avenue. Owners: S.D.S. Associates.  
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City and the line will be extended by the Developer. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 89-622 adopted approving agreement.  
(Public Works & Trans. to handle)

CONSENT

25. Consider acceptance of improvements in Park Valley Homes, Phase III subdivision, and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: R. J. Hill Company.  
(Park Valley Homes, Phase III is located north of Whitmore Avenue between Ustick Avenue and Crows Landing Road. It contains 2.241 acres.  
Resolution accepting improvements needed.)

ACTION: Res. 89-623 adopted accepting improvements. (Clerk to handle)

CONSENT

26. Consider expanding Dial-a-Ride boundaries to include Big Valley Grace Community Church.  
(Memo with agenda. The church recently relocated to a site immediately north of the Modesto city limits. The boundary expansion would allow Dial-a-Ride to serve the church. Motion approving boundary expansion needed.)

ACTION: By motion, boundary expansion approved.  
(Public Works & Trans. to handle)

CONSENT

27. Consider Carpenter-Kansas Reorganization to the City of Modesto.  
(On April 26, 1989, LAFCO approved the Carpenter-Kansas Reorganization to the City of Modesto. This proposal contains 0.47 acres and consists of a single parcel located at the southwest corner of Carpenter Road and Kansas Avenue. The reorganization is uninhabited and the property owner has consented to the reorganization. No hearing is required by LAFCO. Resolution ordering the Carpenter-Kansas Reorganization to the City of Modesto, annexation to the Modesto Municipal Sewer District No. 1, and detachment from the Woodland Avenue Fire Protection District needed.)

ACTION: Res. 89-624 adopted ordering the reorganization to the City of Modesto, annexation to the Sewer District No. 1, and detachment from Woodland Fire District. (Clerk to handle)

CONSENT

28. Consider renewal, on a month-to-month basis, the City of Modesto's contract with Andrew Silva for golf professional services at Dryden and Muni Golf Courses.  
(Memo with agenda. Resolution renewing contract needed. Estimated cost: \$13,200. Funds are budgeted.)

DROPPED FROM AGENDA.

CONSENT

29. Consider job description changes to existing classifications of Tree Trimmer and Tree Trimmer Crewleader.  
(Memo with agenda. Resolution amending the Position Classification Plan to adopt revised classifications needed.)

ACTION: Res. 89-625 adopted amending the Position Classification Plan. (Manager to handle)

CONSENT

30. Request for refund of \$574.59 for overpayment of Business License Tax by Coffee Plaza Barber Shop, 2400 Coffee Road, Modesto.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 89-626 adopted approving refund. (Finance to handle)

CONSENT

31. Consider authorizing the City Manager to execute the agreement entitled "Joint Exercise of Powers Agreement of the Stanislaus Waste-to-Energy Financing Agency by and between the County of Stanislaus and the City of Modesto."  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-627 adopted approving agreement. (Public Works & Trans. to handle)

WRITTEN COMMUNICATIONS

32. Letter from Lalanie Minor requesting funds for gymnasts from this area to attend the National Championships of the United States Academy of Elite Gymnastics.

ACTION: (By order of the Chair, this request referred to staff.)  
(Clerk/Finance to handle)

CONSENT

33. Letter from residents of Achor Court requesting the abandonment of Achor Court approximately 140 feet west of McHenry Avenue.  
(Motion referring to the Planning Commission needed.)

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

CONSENT

34. Letter from TASK and Company, Inc., requesting permission to establish a taxicab company in Modesto.  
(Resolution setting hearing June 20, 1989, at 4:00 p.m. needed.)

ACTION: Res. 89-628 adopted setting hearing. (Clerk to handle)

CONSENT

35. Letter of resignation from the Rehabilitation Loan Pool Subcommittee from Josephine Thompson.  
(Resolution accepting resignation with regret needed.)

ACTION: Res. 89-629 adopted accepting resignation with regret.  
(Clerk to handle)

MISCELLANEOUS

Legislation

CONSENT

36. Staff recommends support of:

- a. AB 80 (Killea) Solid Waste: Recycling
- b. SB 937 (Vuich) Solid Waste Planning
- c. AB 939 (Sher) Integrated Waste Management Planning
- d. SB 975 (Seymour) Street Maintenance
- e. SB 1261 (Bergeson) Recycling - Waste Board

f. SB 1450 (Roberti) County Solid Waste Management Plans

g. SB 1687 (Roberti) Solid Waste Recycling

Staff recommends opposition to:

h. SB 807 (Mello) Specialized Transportation - Unmet Transit Needs

(Memos with agenda. Motion approving recommendations needed.)

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

MATTERS TOO LATE FOR THE AGENDA

37. (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 (McGrath/Muratore, unan.) it was determined that this matter arose after the agenda was prepared.

Res. 89-630 adopted (Lang/Irizarry, unan.) approving the submission of a federal grant application for \$150,000 for a Youth Gang Drug Prevention Program. (Police to handle)

ADJOURNMENT

The meeting adjourned at 6:24 p.m.

ATTEST: *Norrine Coyle*  
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 6:30 p.m., June 13, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Irizarry, Lang, Muratore, Sutton,  
Mayor Whiteside

Councilmember Muratore arrived at 6:40 p.m.

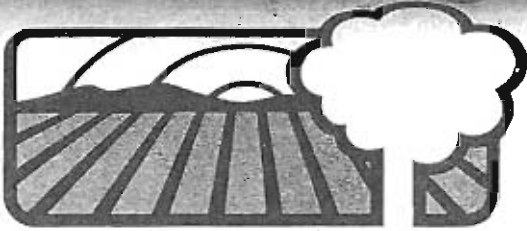
Absent: Councilmembers McGrath and Patterson

The meeting adjourned at 6:35 p.m. to closed session to consider possible litigation pursuant to Government Code Section 54956.9(b)(1).

ATTEST:

A handwritten signature in cursive script that reads "Norrine Coyle". The signature is written in black ink and is positioned above a horizontal line.

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 13, 1989, AT 7:30 P.M.

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

Absent: McGrath

Pledge of allegiance to the Flag

Invocation: Rev. Paul Miles, Sherwood Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 9, 10, 11, 12, 13,  
14, 16, 17, 18, 20, 21, 22, 23, 24,  
25, 26, 27, 28, 29

Removed from consent: 4A

ACTION: (Muratore/Sutton, unan., McGrath 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

- a. Presentation of awards for financial reporting excellence - Annual Financial Report for year ended June 30, 1988.

Pete Kolf and Laura Parker presented the awards to Mayor Whiteside.

MINUTES

CONSENT

2. Approval of the minutes of the special and regular City Council meetings of June 6, 1989.  
(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.)

Clarence Dunker offered \$1,000 toward the cost of building a new fire station.

Tom Maher spoke about Measure S and the budget.

Ron Jourdenias spoke.

UNFINISHED BUSINESS

CONSENT

4. Final adoption of:

a. Ord. No. 2669-C.S. rezoning from R-1 to P-D(454) property on the southwest corner of Briggsmore Avenue and Oakdale Road. (Warner Soelling)

b. Ord. No. 2670-C.S. rezoning from a portion of P-D(247) to R-1, and amending P-D(247) for a reduced agricultural/industrial development, property on the west side of Crows Landing Road north of Whitmore Avenue. (Phillip D. Overholtzer, Inc.)

c. Ord. No. 2671-C.S. rezoning from R-1 to P-D(437), as an addition to P-D(437), property on the north side of Kansas Avenue west of Carpenter Road. (Grant Construction Co.)

(Motion adopting needed.)

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

- 4A. Consider certification of results of the June 6, 1989, special election. (Memo with agenda. Measure S was not approved by the voters. Resolution confirming canvass of votes needed.)

ACTION: Res. 89-631 adopted (Patterson/Lang, unan., McGrath absent) confirming canvass of votes.

(Clerk to handle)

#### HEARINGS

5. Hearing to consider an amendment to the General Plan Map to include a junior high school in the Bret Harte Neighborhood. (Continued from May 23, 1989, City Council meeting.)

ACTION: Res. 89-632 adopted (Sutton/Lang, unan., McGrath absent) amending General Plan Map. (Planning to handle)

6. Hearing to consider the 1989-90 Proposed Budget and Four-Year Capital Improvement Program 1989-90 through 1992-93.

ACTION: By motion (Patterson/Irizarry, unan., McGrath absent) staff directed to find a way to include Fire Station No. 9 in the 1989-90 budget, and to find a way to reduce over-crowding in the Police building. (Finance to handle)

7. Hearing to consider the proposed increase of the commercial detachable container garbage rates.

ACTION: Res. 89-633 adopted (Lang/Patterson, unan., McGrath absent) approving increase effective June 15, 1989. (Finance to handle)

- 7A. Hearing to consider adoption of a Revised Fiscal Year 1988/89 Program of Projects for which financial assistance is being sought for the City of Modesto from the United States Department of Transportation, Urban Mass Transportation Administration, under Section 9 of the Urban Mass Transportation Act of 1964, as amended.

ACTION: Res. 89-634 adopted (Muratore/Patterson, unan., McGrath absent) approving amended application. (P/W to handle)

8. Hearing on the cost of installation of curb and/or sidewalk at the following locations:  
Councilmember Irizarry excused due to a conflict of interest.

a. Curb and sidewalk along Monterey Avenue and Santa Cruz Avenue at 802 Santa Cruz Avenue, Lot 7 of Block 2071. (Roy E. Chipps, \$3,763.00)  
(Time payments requested.)

ACTION: Res. 89-635 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

b. Curb and sidewalk at 1316 Monterey Avenue, Lot 6 of Block 2071.  
(Ruben Morales, \$1,214.00)

ACTION: Res. 89-636 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

c. Curb and sidewalk at 1320 Monterey Avenue, Portion of Block 2071.  
(Shirley Garrity, \$1,425.00)

ACTION: Res. 89-637 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

d. Curb and sidewalk at 1324 Monterey Avenue, Lot 4 of Block 2071.  
(Donna M. Durling, \$1,230.00)

ACTION: Res. 89-638 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

e. Curb and sidewalk at 1328 Monterey Avenue, Lot 3 of Block 2071.  
(Rodney C. and Marcia A. Bonnell, \$1,264.00)  
(Time payments requested.)

ACTION: Res. 89-639 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

f. Curb and sidewalk at 1336 Monterey Avenue, Lot 2 of Block 2071.  
(Richard Hodnett, \$2,034.00)  
(Time payments requested)

ACTION: Res. 89-640 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

g. Curb and sidewalk along Monterey Avenue at 1402 Monterey Avenue, Lot 27 of Block 2110. (Odilon V. and Guillermina Rodriguez, \$1,797.00)  
(Time payments requested.)

ACTION: Res. 89-641 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

h. Curb and sidewalk at 1414 Monterey Avenue, Lot 25 of Block 2110. (Elma A. Blakely, \$1,130.00)

ACTION: Res. 89-642 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

i. Curb and sidewalk along Monterey Avenue at 1418 Monterey Avenue, Lot 1 and 2 of Block 2110. (Fred and Juanita Sullivan, \$2,167.00)  
(Time payments requested.)

ACTION: Res. 89-643 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

j. Curb and sidewalk along Monterey Avenue at 1502 Monterey Avenue, Lot 1 of Block 2111. (Mark L. Morphy, \$1,452.00)

ACTION: Res. 89-644 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

k. Curb and sidewalk at 1508 Monterey Avenue, Lot 2 of Block 2111. (Effie Beeks, \$1,434.00)  
(Time payments requested)

ACTION: Res. 89-645 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

l. Curb and sidewalk at 1516 Monterey Avenue, Lot 3 of Block 2111. (Creed J. Rone, \$1,157.00)

Paid - dropped from agenda

m. Curb and sidewalk along Monterey Avenue at 1634 Monterey Avenue, Portion of Block 2114. (Efiginia Irizarry, \$2,011.00)  
(Time payments requested.)

ACTION: Res. 89-646 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

n. Curb and sidewalk along Monterey Avenue at 1708 Monterey Avenue, Lots 13 and 14 of Block 2142. (Joel Zuniga, \$3,069.00)

ACTION: Res. 89-647 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

o. Curb and sidewalk at 1710 Monterey Avenue, Lot 15 of Block 2142. (John Valdez, \$1,009.00)

ACTION: Res. 89-648 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

p. Curb and sidewalk at 1714 Monterey Avenue, Lot 16 of Block 2142. (Roberto G. Bautista, \$1,419.00)

ACTION: Res. 89-649 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

q. Curb and sidewalk at 1718 Monterey Avenue, Lot 17 of Block 2142. (Manuel A. Madrigal, \$1,253.00)

ACTION: Res. 89-650 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

r. Curb and sidewalk at 1726 Monterey Avenue, Lot 19 of Block 2142. (Francisco C. Avila, \$1,367.00)

ACTION: Res. 89-651 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

s. Curb and sidewalk at 1730 Monterey Avenue, Lot 20 of Block 2142. (Nancy Griffith, \$1,168.00)  
(Paid. Drop from agenda.)

t. Curb and sidewalk at 1734 Monterey Avenue, Lot 21 of Block 2142. (Jose G. Salas, \$1,279.00)(Time payments requested)

ACTION: Res. 89-652 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

u. Curb and sidewalk at 1738 Monterey Avenue, Lot 22 of Block 2142.  
(Harlin Harris, \$1,292.00)  
(Time payments requested.)

ACTION: Res. 89-653 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

v. Curb and sidewalk at 1742 Monterey Avenue, Lot 23 of Block 2142. (Joe R. Murray, \$1,226.00)

ACTION: Res. 89-654 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

w. Curb and sidewalk along Monterey Avenue at 1746 Monterey Avenue, Lot 24 of Block 2142. (Jaime Fonseca, \$1,495.00)

ACTION: Res. 89-655 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

x. Curb and sidewalk along Monterey Avenue at 1307 Monterey Avenue, Portion of Block 4. (Ronald A. Resh, \$1,475.00)

ACTION: Res. 89-656 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

y. Curb and sidewalk at 1311 Monterey Avenue, Portion of Block 4. (Lloyd Briscoe, \$1,391.00)

ACTION: Res. 89-657 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

z. Curb and sidewalk at 1319 Monterey Avenue, Portion of Block 4. (Alvyn A. Stohler, \$1,040.00)

ACTION: Res. 89-658 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

aa. Curb and sidewalk along Monterey Avenue at 747 Kerr Avenue, Lot 13 of Block 2076. (Guadalupe Espinoza, \$3,213.00)

ACTION: Res. 89-659 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

bb. Curb and sidewalk along Monterey Avenue at 1501 Monterey Avenue, Portion of Block 2108. (Jerry D. Reese, \$2,120.00)

Dropped from agenda

cc. Curb and sidewalk at 1507 Monterey Avenue, Portion of Block 2108. (Robbins Zandy Investors, \$1,325.00)  
(Paid. Drop from agenda.)

dd. Curb and sidewalk along Monterey Avenue at 747 Thrasher Avenue, Lot 13 of Block 2108. (Leo Tharp, \$3,240.00)  
(Time payments requested.)

ACTION: Res. 89-660 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

ee. Curb and sidewalk along Monterey Avenue at 1611 Monterey Avenue, Lots 14 and 15 of Block 2116. (Bipan K. Kochhar, \$4,583.00)

ACTION: Res. 89-661 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

ff. Curb and sidewalk along Monterey Avenue and along Empire Avenue at 1711 Monterey Avenue, Portion of Block 2141. (Abelardo and Marie Morales and Fredrick and Diane Morales, \$4,884.00)

ACTION: Res. 89-662 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

gg. Curb and sidewalk along Monterey Avenue at 1719 Monterey Avenue, Portion of Block 2141. (Robert J. Meisenbach, \$3,737.00)

ACTION: Res. 89-663 adopted (Muratore/Patterson, unan., Irizarry, McGrath absent) confirming report, assessing costs, directing method of payment. (Finance to handle)

BIDS

CONSENT

9. Consider awarding contract to Collins Electrical Co. for modifications of traffic signal controllers for Fuel Efficient Traffic Signal Management (FETSIM) Program.

(Memo with agenda. Bids were opened on June 6, 1989. Four bids were received. Collins Electrical Co. was the low bidder at \$69,900. This is 22.3% below the estimate and is acceptable. Resolution approving an appropriation transfer, and resolution awarding contract needed.)

ACTION: Res. 89-664 adopted approving an appropriation transfer.  
Res. 89-665 adopted awarding contract to Collins Electrical Co.  
(P/W, Finance to handle)

CONSENT

10. Consider declaring Century Industries, Inc., low bidder on and authorize the purchase of one mobile platform/stage.

(Memo with agenda. Resolution authorizing purchase needed. Estimated cost: \$23,915. Funds are budgeted.)

ACTION: Res. 89-666 adopted authorizing purchase. (Finance to handle)

CONSENT

11. Consider declaring Glen Wilson Trucking, Inc. and Brown Sand Company low bidders on and authorize the purchase of annual rock, sand and gravel requirements.

(Memo with agenda. Resolution authorizing purchase needed. Estimated cost: \$26,560. Funds are included in the 1989-90 budget.)

ACTION: Res. 89-667 adopted authorizing purchase. (Finance to handle)

CONSENT

12. Consider declaring Turlock Ready Mix low bidder on and authorize the purchase of annual ready mix concrete requirements.

(Memo with agenda. Resolution authorizing purchase needed. Estimated cost: \$13,000. Funds are included in the 1989-90 budget.)

ACTION: Res. 89-668 adopted authorizing purchase. (Finance to handle)

CONSENT

13. Consider rejection of bid of McHenry Mansion track lighting.

(This project has been bid twice. No bids were received at the first bid opening. Bids were again opened May 30, 1989. One bid of \$47,370, 29.4% above the engineer's estimate, was submitted by Kirkes Electric. This electrical work will be combined with mechanical and electrical work scheduled to be constructed in the next fiscal year, thus increasing the economy of scale for the project. Resolution rejecting bid needed.)

ACTION: Res. 89-669 adopted rejecting bid. (P/T to handle)

CONSENT

14. Consider waiving formal bid procedures and authorize the purchase of ferrous chloride from Imperial West Chemical Company for the total price of \$15,217.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-670 adopted waiving formal bid procedures. (Finance to handle)

NEW BUSINESS

15. Consider approval of the final map of Adobe Abode 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: Norma E. Johnson  
(The subdivision agreement has been signed and all fees paid. Adobe Abode is located at the northeast corner of Madison and Linden Street. It contains 0.99 acres. Resolution approving the final map needed.)

ACTION: Res. 89-671 adopted (Irizarry/Lang, unan., McGrath absent) approving final map. (P/W to handle)

CONSENT

16. Consider executing an escrow agreement with Alta Pacific Constructors, Inc., on the Storage Pond Wave Protection Project.  
(Contract documents allow contractor to substitute securities in lieu of retention on the project. Contractor has asked the City to enter into an escrow agreement which allows them to deposit securities in lieu of normal retention. Memo with agenda. Resolution approving escrow agreement needed.)

ACTION: Res. 89-672 adopted approving agreement. (P/W to handle)

CONSENT

17. Consider authorizing 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: \$28,211. Funds are budgeted.)

ACTION: Res. 89-673 adopted approving agreement. (Police to handle)

CONSENT

18. Consider amending Personnel Rules 7, 10, and 13, concerning the method for filling vacancies, demotions and suspensions, attendance and leaves.  
(Memo with agenda. Resolution approving amendments needed.)

ACTION: Res. 89-674 adopted approving amendments. (Manager to handle)

CONSENT

20. Consider approving an appropriation transfer to provide funding for the Soviet student visit June 12 - July 2, 1989.  
(Memo with agenda. The City is hosting ten students and three chaperons. Resolution approving appropriation transfer needed. Estimated cost: \$2,540.)

ACTION: Res. 89-675 adopted approving appropriation transfer.  
(Finance to handle)

CONSENT

21. Consider request for sewer service to property outside City limits on the north side of Inyo Avenue between Dallas Avenue and Mt. Oso Way. Owner: Lillian L. Croslin.  
(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 the property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 89-676 adopted approving agreement. (P/W to handle)

CONSENT

22. Consider request for sewer service to property outside City limits on the south side of California Avenue between Panama Drive and M.I.D. Lateral No. 5. Owner: Claude W. & Kelly A. Haugen.  
(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 the property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 89-677 adopted approving agreement. (P/W to handle)

CONSENT

23. Consider request for water service to property outside City limits on the west side of Yellowstone Avenue between Temperate Avenue and Woodland Avenue. Owner: Anthony Joseph Avila.  
(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 the property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 89-678 adopted approving agreement. (P/W to handle)

CONSENT

24. Consider request for water service to property outside City limits on the south side of Kansas Avenue between Carpenter Road and Rosemore Avenue. Owner: George A. Ruggiero. (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 the property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 89-679 adopted approving agreement. (P/W to handle)

CONSENT

- 25 Consider approving a software license and maintenance agreement with American Management Systems, Inc. (Memo with agenda. Resolution approving software license and maintenance agreement needed.)

ACTION: Res. 89-680 adopted approving agreement. (Finance to handle)

CONSENT

26. Consider amending the Modesto Municipal Code relating to the requirement for connection to the City sewage system. (Memo with agenda. City policy is to encourage the abandonment of private septic systems within the City. The proposed ordinance revision strengthens and clarifies the intent of this Code section by requiring properties to connect to sanitary sewer when a sewer lateral exists within 100 feet from the property. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2672-C.S. introduced. (Clerk to handle)

CONSENT

27. Consider amending the Modesto Municipal Code relating to sewer subtrunk extension charge and lateral charge. (Memo with agenda. Currently Council has authority to determine Sewer Bond Redemption charges based on certain criteria identified in the Code. The proposed revisions will give Council authority to determine subtrunk and lateral charges based on the same criteria. In addition, wording will be deleted that refers to adoption of the Butte-Glenn annexation which did not materialize. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2673-C.S. introduced. (Clerk to handle)

CONSENT

28. Monthly Treasurer's Report for May, 1989. (Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

Legislation

CONSENT

29. Staff recommends support of HR 634 (LaFalce), Repeal of Section 89 of 1986 Tax Report Act.

(Memo with agenda. Motion approving recommendation needed.)

By motion, recommendation approved.

(Manager to handle)

30. 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

31. Closed session to discuss salaries, salary schedules, or compensation paid in the form of fringe benefits of the City's represented and unrepresented employees, pursuant to Government Code Section 54957.6.

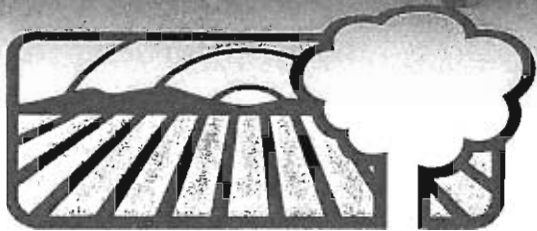
ADJOURNMENT

The meeting adjourned at 9:00 p.m. to closed session and then to Wednesday, June 14, at 3:00 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, to continue review of the proposed budget; then to 3:45 p. m. in the fourth floor conference room for a report by the Tier 1 Urban Growth Committee; and then to closed session to consider the evaluation of performance of public employees pursuant to Government Code Section 54957.

ATTEST:

*Morrine Coyle*

MORRINE COYLE, City Clerk



## MODESTO CITY COUNCIL

City Hall  
801 11th Street  
Modesto, California

The Council of the City of Modesto convened in an adjourned session at 3:10 p.m., June 14, 1989, in the Council Chambers, City Hall, 801 11th Street, Modesto, California, to consider the staff recommendation concerning a contribution for 1989-90 to Stanislaus County for the Modesto Library.

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

Mayor Whiteside arrived at 3:25 p.m.

ABSENT: Councilmembers Lang, McGrath

By motion, (Muratore/Patterson, unan., Lang & McGrath, absent,) staff recommendation approved, with payments on a quarterly basis, subject to review.

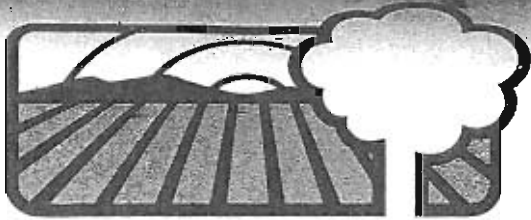
The Mayor introduced Webelos Troop 137 from Coleman F. Brown School.

The meeting adjourned at 3:35 p.m. and reconvened at 3:50 p.m. in the Fourth Floor Conference Room, City Hall for a report by the Tier 1 Urban Growth Committee.

The meeting adjourned at 4:49 p.m.

ATTEST:

*Judy C. Hall*  
JUDY C. HALL, Acting 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 3:00 p.m., June 20, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

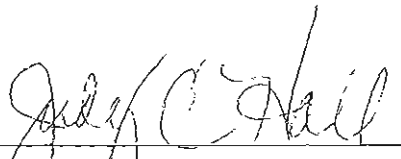
Present: Councilmembers Irizarry, Lang, McGrath, Muratore,  
Patterson, Mayor Whiteside

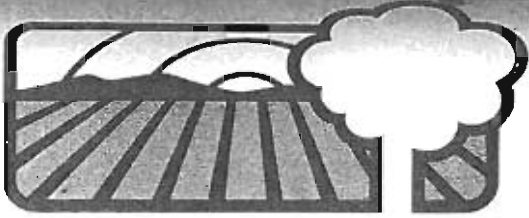
Councilmember McGrath arrived at 3:10 p.m.

Absent: Councilmember Sutton

The meeting adjourned at 3:05 p.m. to closed session to consider 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.

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 20, 1989, AT 4:00 P.M.

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

Absent: Sutton

Pledge of allegiance to the Flag

Invocation: Rev. George Telle, Trinity Presbyterian Church

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

Removed from consent: 5

ACTION: (Lang/McGrath, unan., Sutton, 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. Introduction of ten Soviet exchange students from our Sister City Khmelnitsky and three chaperones.

Angie Wiinikka introduced Soviet exchange students from our Sister City Khmelnitsky and three chaperones.

### MINUTES

#### CONSENT

2. Approval of the minutes of the special and regular City Council meetings of June 13, 1989.

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.)

Lloyd Seagraves spoke about the results of the recent Measure S election. Ron Jourdenais spoke.

### UNFINISHED BUSINESS

4. Report and recommendations regarding discussion about joint use of Martone School/Woodland Neighborhood Park Site.  
(This is a report and staff recommendations as a result of meetings of committee set up to discuss interim and long-term solutions for joint use of the Martone School/Woodland Neighborhood Park Site. Memo with agenda Motions directing staff to include \$5,500 in the 1989-90 budget for a modified summer play program this year, approving staff recommendation regarding acquisition of the new site, and approving year-round school calendar for Martone School/Woodland Neighborhood Park needed.)

ACTION: By motion (Lang/McGrath, unan., Sutton absent) Item 21 to be considered with Item 4.

By motion (McGrath/Patterson, majority.Lang, Whiteside-no, Sutton absent) reaffirmed the need for additional open space in the Woodland Neighborhood in order to be consistent with the Open Space Element of the Modesto Urban Area General Plan and requested the Modesto City School District replace the existing Woodland Park site, and City install improvements with a new neighborhood site of 10 acres in the Woodland neighborhood, and did not approve the year-round school calendar until the school district has replaced the existing Woodland Neighborhood Park site in the Woodland Neighborhood because it would not be conducive to the use of the park.

5. Consider report of 1989 Charter Review Committee.  
(Memo with agenda. Motion acknowledging receipt of report needed, and resolution setting public hearing July 11, 1989, at 7:30 p.m. needed.)

ACTION: By motion (Lang/Irizarry, unan., Sutton absent) receipt of report acknowledged.  
Res. 89-681 adopted (same vote) setting hearing July 18, 1989 at 4:00 p.m. (Clerk to handle)

CONSENT

6. Final adoption of:
- a. Ord. No. 2672-C.S. amending Municipal Code relating to the requirement for connection to the sewage system.
  - b. Ord. No. 2673-C.S. amending Municipal Code relating to subtrunk sewer extension.

(Motion approving needed.)

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

HEARINGS

7. a. Hearing to consider an amendment to Section 31-3-9 of the Zoning Map to rezone from R-1 to P-D(453), as Phase II, property located on the north side of Houser Lane and east of Milma Drive. (P & R Enterprises)

ACTION: By motion (Lang/McGrath, unan., Sutton absent) Ord. No. 2674-C.S. introduced.  
Res. 89-682 adopted (same vote) approving development plan.  
Res. 89-683 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

- b. Letter from Paul Holtzclaw, P & R Enterprises, regarding infrastructure fees for project.

ACTION: Res. 89-684 adopted (Lang/Irizarry, unan., Sutton absent) denying request for reduction in infrastructure fees.

8. Hearing to consider the application of TASK and Company, Inc. to establish and operate a taxicab company in Modesto.

ACTION: By motion (Muratore/Irizarry, unan., Sutton absent) this item dropped.

5. Consider report of 1989 Charter Review Committee.  
(Memo with agenda. Motion acknowledging receipt of report needed, and resolution setting public hearing July 11, 1989, at 7:30 p.m. needed.)

ACTION: By motion (Lang/Irizarry, unan., Sutton absent) receipt of report acknowledged.  
Res. 89-681 adopted (same vote) setting hearing July 18, 1989 at 4:00 p.m. (Clerk to handle)

CONSENT

6. Final adoption of:

- a. Ord. No. 2672-C.S. amending Municipal Code relating to the requirement for connection to the sewage system.
- b. Ord. No. 2673-C.S. amending Municipal Code relating to subtrunk sewer extension.

(Motion approving needed.)

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

HEARINGS

7. a. Hearing to consider an amendment to Section 31-3-9 of the Zoning Map to rezone from R-1 to P-D(453), as Phase II, property located on the north side of Houser Lane and east of Wilma Drive. (P & R Enterprises)

ACTION: By motion (Lang/McGrath, unan., Sutton absent) Ord. No. 2674-C.S. introduced.  
Res. 89-682 adopted (same vote) approving development plan.  
Res. 89-683 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

- b. Letter from Paul Holtzclaw, P & R Enterprises, regarding infrastructure fees for project.

ACTION: Res. 89-684 adopted (Lang/Irizarry, unan., Sutton absent) denying request for reduction in infrastructure fees.

8. Hearing to consider the application of TASK and Company, Inc. to establish and operate a taxicab company in Modesto.

ACTION: By motion (Muratore/Irizarry, unan., Sutton absent) continued to July 5, 1989.

BIDS

CONSENT

9. Consider declaring Country Ford Trucks low bidder and authorize the purchase of one truck cab and chassis for \$15,227.  
(Memorandum with agenda. Resolution accepting the bid of Country Ford Trucks needed. Funds are budgeted.)

ACTION: Res. 89-685 adopted awarding bid. (Finance to handle)

CONSENT

10. Consider declaring Ingersoll-Rand, Inc. low bidder and authorize the purchase of one gas powered air compressor for \$8,753.  
(Memorandum with agenda. Resolution accepting the bid of Ingersoll-Rand, Inc. needed. Funds are budgeted.)

ACTION: Res. 89-686 adopted awarding bid. (Finance to handle)

CONSENT

11. Consider waiving formal bid procedures and authorize the issuance of a purchase order to Conco West, Inc. for the Walker Road waterline project.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing issuance of purchase order needed. (Five affirmative votes needed.) Estimated cost: \$16,765. Funds are budgeted.)

ACTION: Res. 89-687 adopted waiving formal bid procedures. (P/W to handle)

CONSENT

12. Consider waiving formal bid procedures and authorize the purchase of bulk gasoline and diesel fuels from the best available sources for the fiscal year 1989-90.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. (Five affirmative votes needed.) Estimated cost: \$1,052,416. Funds to be included in 1989-90 budget.)

ACTION: Res. 89-688 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

13. Consider waiving formal bid procedures and authorize the purchase of two "Jaws of Life" from the San Diego Fire Equipment Company for the total price of \$27,600 and approving a transfer of funds from the City's general fund reserve to the Fire Department.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed, and resolution approving an appropriation transfer needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-689 adopted waiving formal bid procedures.  
Res. 89-690 adopted approving appropriation transfer. (Finance to handle)

NEW BUSINESS

14. Consider authorizing the City Manager to sign an application for a "Fighting Back" planning grant to the Robert Wood Johnson Foundation. (Memorandum with agenda. Forward Modesto IV follow-up. The recommendation from the Security and Law Enforcement Task Force is that the City should push for further money for drug programs. Resolution authorizing Manager to sign application needed.)

ACTION: Res. 89-691 adopted (Muratore/Patterson, unan., Sutton absent) authorizing application. (Police to handle)

CONSENT

15. Consider authorizing the City Manager to execute a month-to-month agreement with Andrew Silva for golf professional services at Muni and Dryden Golf Courses. (Memorandum with agenda. Resolution approving agreement needed. Estimated Cost: \$13,200. Funds are budgeted.)

ACTION: Res. 89-692 adopted approving agreement. (P/R to handle)

CONSENT

16. Consider approving an agreement with Uncle Charlie's Group Home for a one year deferred payment loan of \$54,552 to cover the additional costs of an Independent Living Program, under the 1988-89 Community Development Block Grant Program. (Memorandum with agenda. Uncle Charlie's Group Home wants to offer emancipation training that is not now available in Stanislaus County. Resolution approving agreement needed. Estimated Cost: \$54,552. Funds are budgeted.)

ACTION: Res. 89-693 adopted approving agreement. (Planning to handle)

CONSENT

17. Consider a resolution approving the use of City-owned property at 308 Locust Street, Modesto, as a temporary relocation house for clients of the City's Housing Rehabilitation Programs, allowing the Community Development Program Manager or Housing Program Supervisor to sign each lease with the relocated clients, and to insure the house for liability under the City's self-insurance policy. (Memo with agenda. HPO wants to continue using 308 Locust Street for temporary relocations. Resolution approving the use of 308 Locust Street as a temporary relocation house needed.)

ACTION: Res. 89-694 adopted approving use of City-owned property. (Planning to handle)

CONSENT

18. Consider approving amended plot plan revising the access road to the proposed fuel facility at the Modesto City-County Airport in the agreement between the City of Modesto and Hendley-Sky Trek Aviation Fuel, Inc.  
(Memo with agenda. Resolution approving amended plot plan needed.)

ACTION: Res. 89-695 adopted approving amended plot plan. (P/W to handle)

CONSENT

19. Consider approving amended grant agreement with the Federal Aviation Administration to correct the number on the original grant agreement.  
(Memo with agenda. Resolution approving amended grant agreement needed.)

ACTION: Res. 89-696 adopted approving amended grant agreement. (P/W to handle)

CONSENT

20. Consider authorizing City participation in the world-wide campaign Earth Day 1990.  
(Memo with agenda. Forward Modesto IV follow-up. In their conclusions, the Environmental Quality/Public Works Task Force pointed out the need for education about environmental problems. Motion authorizing participation needed.)

ACTION: By motion, participation authorized. (Manager to handle)

CONSENT

- 20A. Consider submitting a letter of intent to apply for participation in the California Healthy Cities Project.  
(Memo with agenda. Resolution authorizing submission of letter of intent needed.)

ACTION: Res. 89-697 adopted authorizing submission of letter. (Manager to handle)

WRITTEN COMMUNICATIONS

21. Letter from members of the Woodland Neighborhood Association regarding year-round school use and hours of use at the Martone School and Woodland Neighborhood Park by the City of Modesto and the Modesto City School District.

This item considered with Item 4.

22. Letter from Jim Van Heukelem, Sky Trek Aviation, regarding a land use issue on Sky Trek's new hangar and corporate lobby project.

ACTION: By motion (Lang/Irizarry, unan., Sutton absent) referred to staff. (P/W to handle)

CONSENT

23. Appeal of DeLaMare-Fultz, on behalf of Continental Metroplex, to a Planning Commission decision concerning Oakwilde Place Vesting Tentative map and tentative parcel map.  
(Resolution setting hearing July 11, 1989, at 7:30 p.m. needed.)

ACTION: Res. 89-698 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

CONSENT

24. Legislation: Staff recommends:

Support

- a. AB 701 (Frazee) Radar and Speed Limits
- b. SB 286 (Campbell) Emergency Vehicle Weights
- c. SB 691 (Alquist) Formation of Task Force for Consolidation of Building Codes
- d. SB 762 (C. Green) Immunity for Failure to Provide Emergency Rescue Services

Oppose

- e. AB 1654 (Costa) Dedications - Reconveyance to Developer
- f. SB 172 (Morgan) Local Bond Proposals
- g. S 582 (Metzenbaum) High Risk Occupational Disease Act  
(Memo with agenda. Motion accepting recommendations needed.)

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

MATTERS TOO LATE FOR THE AGENDA

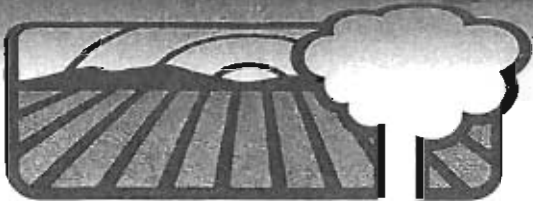
25. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 6:35 p.m.

ATTEST: Judy C. Ball  
JUDY C. BALL, 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 6:00 p.m., June 27, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

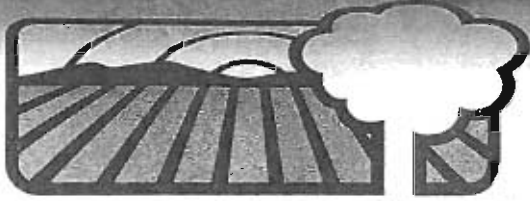
Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Mayor Whiteside

Mayor Whiteside arrived at 6:15 p.m.

ABSENT: Councilmember Sutton

The meeting adjourned to closed session at 6:05 p.m. to consider the evaluation of performance of public employees pursuant to Government Code Section 54957, and to consider potential litigation pursuant to Government Code Section 54956.9(a).

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, JUNE 27, 1989, AT 7:30 P.M.

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

Absent: Councilmember Sutton

Pledge of allegiance to the Flag

Invocation: A moment of silence was observed for the people of China.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 10, 11, 12, 13, 17,  
18, 19, 22, 23, 24, 25, 26, 27, 28,  
Removed from consent: 16 29, 31, 32, 33, 35, 36, 37

ACTION: Lang/Irizarry, unan., Sutton absent

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Item 30  
COUNCILMEMBER MURATORE EXCUSED DUE TO A CONFLICT OF INTEREST

ACTION: McGrath/Irizarry, unan., Muratore and Sutton 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 minutes of the adjourned regular City Council meeting of June 14, 1989, and the special and regular City Council meetings of June 20, 1989.  
(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.)

Ron Jourdenaise spoke.

UNFINISHED BUSINESS

CONSENT

4. Final adoption of Ord. No. 2674-C.S. rezoning from R-1 to P-D(453), as Phase II, property located on the north side of Houser Lane and east of Wilma Drive. (P & R Enterprises)  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2674-C.S. adopted. (Clerk to handle)

HEARINGS

5. Hearing to consider a proposed fare increase for Intracity Transit and Modesto-Stanislaus Dial-A-Ride, minor route changes, and authorizing the Transit Manager to make future minor route changes.

ACTION: Res. 89-699 adopted (Muratore/Lang, unan., Sutton absent) setting fares for Intracity Transit.

Res. 89-700 adopted (Muratore/Lang, unan., Sutton absent) setting fares for Modesto-Stanislaus Dial-a-Ride.

By motion (Muratore/Lang, unan., Sutton absent), bus pass sales on buses eliminated effective August 1, 1989.

By motion, Muratore/Lang, unan., Sutton absent, changes to Routes 8, 11, and 14 approved, and Transit Manager was authorized to make minor route changes in the future.

(P.W. & T. to handle)

6. Informal public hearing to consider recommendations of Tier 1 of the Urban Growth Committee on the City of Modesto's Urban Growth Policy.

No action taken.

7. Hearing to consider an amendment to Section 8-4-9 of the Zoning Map to rezone from R-2 to R-1, property located on the north side of Hatch Road between Ustick Road and Boise Avenue. (R.M.S.C., Inc.)  
(Continued from City Council meeting of May 16, 1989.)

Councilmember Irizarry excused for five minutes.

ACTION: By motion (McGrath/Lang, unan., Irizarry and Sutton absent) Ord. No. 2675-C.S. introduced amending the Zoning Map.

Res. 89-701 adopted (McGrath/Lang, unan., Irizarry and Sutton absent) certifying review of the environmental assessment.

(Clerk/Plan. & C. D. to handle)

8. Hearing to consider the vacation and abandonment of North Morton Boulevard between new State Highway 132 and Jennie Street.

ACTION: Res. 89-702 adopted (Lang/Muratore, unan., Sutton absent) vacating and abandoning North Morton Boulevard between new Highway 132 and Jennie Street.  
(Clerk/Plan. & C. D. to handle)

9. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Loran Corporation, to a Planning Commission decision concerning an application to rezone from R-1 to P-D, property located on the north side of Sylvan Avenue between Oakdale Road and Carson Oak Drive.

ACTION: Res. 89-704 adopted (Lang/Muratore, majority, McGrath - no, Sutton absent), denying the appeal.

Res. 89-705 adopted (Lang/Muratore, majority, McGrath - no, Sutton absent), certifying review of the environmental assessment.

(Clerk/Plan. & C. D. to handle)

BIDS

CONSENT

10. Consider award of contract for H.A.C. Curb Ramp Project No. 6 - McHenry Avenue/Route 108 to Cunningham and Sons, Inc.  
(Bids were opened June 13, 1989. The low bid of \$60,044.44, submitted by Cunningham & Sons, Inc. is considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tabulations with agenda. Resolution awarding contract to Cunningham & Sons, Inc. needed. Funds are budgeted.)

ACTION: Res. 89-706 adopted awarding contract. (P.W. & T. to handle)

CONSENT

11. Consider acceptance of Continental Fence Co.'s contract for the Bellenita Park Chain Link Fence. (Original contract: \$8,012.80)  
(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: \$8,028.40. Funds are budgeted.)

ACTION: Res. 89-707 adopted accepting work as complete. (Clerk to handle)

CONSENT

12. Consider waiving formal bid procedures and authorize the purchase of computer equipment from Apple Computer, Inc. for the total price of \$12,355.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-708 adopted waiving formal bid procedures and authorizing purchase. (Finance to handle)

CONSENT

13. Consider declaring American Building Maintenance and Modesto Building Maintenance low bidders and approving agreements for janitorial services for the Centre Plaza, Housing Program Office and American Legion Hall and authorizing City Manager to sign agreements.  
(Memorandum with agenda. Resolutions approving agreements needed. Estimated cost: \$53,800. Funds are budgeted.)

ACTION: Res. 89-709 adopted approving agreement with American Building Maintenance.

Res. 89-710 adopted approving agreement with Modesto Building Maintenance. (Finance to handle)

NEW BUSINESS

14. Report to Council on the financing proposal for Fire Station No. 9 and request for approval to proceed.  
(Memo with agenda. A fund transfer of \$22,000 is required for architectural services. Motion directing staff to proceed and resolution approving appropriation transfer for start up financing needed.)

ACTION: By motion (Lang/Patterson, unan., Sutton absent), recommendations approved.

Res. 89-711 adopted (Lang/Patterson, unan., Sutton absent),  
approving the appropriation transfer. (Finance to handle)

15. Consider adoption of the Fiscal Year 1989-90 Annual Budget (including the first year of the Four-Year Capital Improvement Program.  
(Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion (Lang/Patterson, unan., Sutton absent), Ord. No. 2676-C.S.  
was introduced and adopted. (Clerk to handle)

CONSENT

16. Consider amending the Annual Budget of the City of Modesto for the 1988-89 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, 1989.  
(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. 89-712 adopted (Patterson/Lang, unan., Sutton absent)  
authorizing establishment of reserves. (Finance to handle)

CONSENT

17. Consider approving Memorandum of Understanding with Modesto Police Officer's Association, approving revised schedule of salary revisions, approving a change in compensation and benefits for management and confidential employees, and approving the advance of health insurance rate increases until the new City plan rates are set.  
(Memorandum with agenda. Resolutions implementing needed.)

ACTION: Res. 89-713 adopted approving the MOU with the Modesto Police Officers Association.

Res. 89-714 adopted approving the revised Schedule of Salary Ranges.

Res. 89-715 adopted approving the advance of health insurance rate increases until the new City plan rates are set.

Res. 89-716 adopted approving changes in compensation and benefits for management and confidential employees.

Res. 89-716A adopted approving changes in compensation and benefits for Council appointees.

(Manager to handle)

CONSENT

18. Consider authorizing an increase in the number of members on the Airport Advisory Committee.

(Memo with agenda. Resolution approving increase needed.)

ACTION: Res. 89-717 adopted increasing the number of members on the committee. (Manager to handle)

CONSENT

19. Consider accepting staff proposal for alignment of sanitary sewers in Yosemite Neighborhood (Alternative D).

(Memo with agenda. Motion accepting staff proposal needed.)

ACTION: By motion, staff proposal accepted. (P. W. & T. to handle)

20. Consider request from Leon Johnson to adjust Capital Facilities Fees and postpone construction of an 8 foot acoustical wall for the Adobe Abode subdivision, located on north Madison Street and Linden Street .  
(Memo with agenda. Motion accepting staff recommendations needed.)

ACTION: By motion (McGrath/Irizarry, unan., Sutton absent), the recommendation concerning Capital Facilities Fees was approved.

Res. 89-717A (McGrath/Irizarry, unan., Sutton absent), amending the vesting tentative subdivision map, and requiring the wall as recommended or allowing Mr. Johnson to go back through the environmental assessment process, with Mr. Johnson to make the decision of which alternative to follow within 30 days.

(P. W. & T. to handle)

21. Staff report on Riverside Neighborhood Park Site parking and traffic concerns.

(Memo with agenda. Motion accepting report and authorizing staff to proceed with original park master plan needed.)

ACTION: By motion (McGrath/Whiteside, unan., Sutton absent), the recommendation concerning the park was approved, and installation of the stop sign is to occur when the park is developed.

(P. & R. to handle)

CONSENT

22. Consider authorizing the City Manager to enter into an agreement with Sylvan School District for the purchase of a neighborhood park in the Merle Neighborhood.  
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$462,500. Funds are budgeted.)

ACTION: Res. 89-718 adopted approving agreement. (P. & R. to handle)

CONSENT

23. Consider applying for participation in the California Healthy Cities Project.  
(Memo with agenda. Resolution supporting City of Modesto's participation in the California Healthy Cities Project needed.)

ACTION: Res. 89-719 adopted approving participation in the project.  
(Manager to handle)

CONSENT

24. Consider commending Fire Chief Joe Vella for over thirty-eight years of service to community fire protection with the Salida Fire Protection District.  
(Memo with agenda. Resolution commending Fire Chief Joe Vella needed.)

ACTION: Res. 89-720 adopted commending Fire Chief Joe Vella.  
(Fire to handle)

CONSENT

25. Consider acceptance of improvements in Dry Creek Meadows No. 4 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: The William Lyon Co.)  
(Dry Creek Meadows No. 4 subdivision is located at the west of Claus Road, south of M.I.D. Lateral No. 2. All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Resolution accepting improvements as complete needed.)

ACTION; Res. 89-721 adopted accepting improvements. (Clerk to handle)

CONSENT

26. Consider acceptance of improvements in Dry Creek Meadows No. 5 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: The William Lyon Co.)  
(Dry Creek Meadows No. 5 subdivision is located at the west of Claus Road, south of M.I.D. Lateral No. 2. All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 89-722 adopted accepting improvements. (Clerk to handle)

CONSENT

27. Consider acceptance of improvements in Dry Creek Meadows No. 6 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: The William Lyon Co.)  
(Dry Creek Meadows No. 6 subdivision is located at the west of Claus Road, south of M.I.D. Lateral No. 2. All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 89-723 adopted accepting improvements. (Clerk to handle)

CONSENT

28. Consider acceptance of improvements in Dry Creek Woods subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Northstar Estates)  
(Dry Creek Woods subdivision is located at the northwest corner of Yosemite Boulevard and McClure 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 as complete needed.)

ACTION: Res. 89-724 adopted accepting improvements. (Clerk to handle)

CONSENT

29. Consider authorizing payment of Authority of California Cities for Excess Liability (ACCEL) premium deposit of \$493,376 for fiscal year 1989-90. (Memo with agenda. Resolution authorizing payment needed. Funds to be included in 1989-90 budget.)

ACTION: Res. 89-725 adopted authorizing payment. (Attorney to handle)

CONSENT -- COUNCILMEMBER MURATORE EXCUSED DUE TO A CONFLICT OF INTEREST

30. Consider amending the 1988 Final Statement of Community Development Objectives approving an agreement to grant \$55,000 to Stanislaus Women's Refuge Center for rehabilitation of a shelter for battered women, under the 1988-89 Community Development Block Grant Program, as recommended by the Citizens Housing and Community Development Committee.  
(Memo with agenda. Stanislaus Women's Refuge Center has purchased a house for a new shelter for battered women and children, and requested matching rehabilitation funds from the City. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 89-726 adopted approving agreement. (Finance to handle)

CONSENT

31. Consider approving an agreement with the Housing Authority of Stanislaus County for a grant of \$147,750 for modernization of the Westview Gardens Public Housing Complex, under the 1988-89 Community Development Block Grant program per the recommendation of the Citizens Housing and Community Development Committee.  
(Memo with agenda. Resolution approving agreement needed, and resolution approving appropriation transfer needed.)

ACTION: Res. 89-727 adopted approving agreement.

Res. 89-728 approving appropriation transfer.  
(Plan. & C. D./Finance to handle)

CONSENT

32. Consider request for water service to property outside City limits at 1743 Shaddox Avenue, located on the north side of Shaddox Avenue between Watts Avenue and Seneca Place. (Owners: James L. and Mildred M. Bufford)  
(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. 89-729 adopted approving agreement. (P. W. & T. needed)

CONSENT

33. Consider request for water service to property outside City limits at 401 Flamingo Road and 2000 Crows Landing Road, located on the east side of Crows Landing Road between Flamingo Road and Winmoore Way. (Owner: Valley Land Development)  
(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. 89-730 adopted approving agreement. (P. W. & T. to handle)

WRITTEN COMMUNICATIONS

34. Letter from Ron Johnson, Westfork Development, requesting a waiver of Capital Facilities Fees for a prefabricated house sales/display in the parking area of Century Center shopping center.  
(Letter and staff recommendations with agenda.)

ACTION: By motion (Lang/Muratore, unan., Sutton absent) request for waiver of fees denies, and staff directed to propose a fee amount and policy for temporary housing. (Plan. & C. D. to handle)

CONSENT

35. Letter from Mr. and Mrs. D. A. Conway requesting permission to purchase and close a portion of the alley on the north side of their property located on Stetson Avenue between West Orangeburg Avenue and Pearl Avenue.  
(Motion referring to staff needed.)

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

MISCELLANEOUS

Appointments

CONSENT

36. Consider appointing the City of Modesto's portion of the Joint Powers Agency Agreement Commission with Stanislaus County.  
(Memo with agenda. Resolution appointing two councilmembers and an alternate needed.)

ACTION: Res. 89-731 adopted appointing Councilmembers Lang and Muratore as members and Councilmember Patterson as alternate.  
(P. W. & T. to handle)

CONSENT

37. Legislation: Staff recommends:

Support

- a. AB 886 (Cortese) Environmental Impact Reports and Negative Declarations
- b. S 1129 (Bentsen) Section 8<sup>0</sup> Reform

Oppose

- c. SB 428 (Torres) Vicious and Potentially Dangerous Dogs
- d. SB 895 (Vuich) Property Tax - Shift from Cities to Counties for Cost of Property Tax Administration

(Memos with agenda. Motion accepting recommendation needed.)

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

MATTERS TOO LATE FOR THE AGENDA

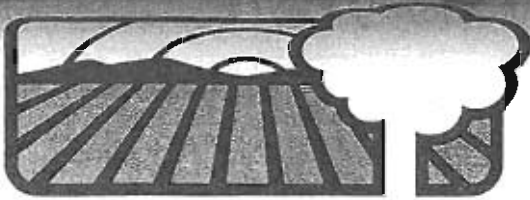
- 38. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

Meeting adjourned at 11:18 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 WEDNESDAY, JULY 5, 1989, AT 4:00 P.M.

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

Absent: Patterson, Sutton

Pledge of allegiance to the Flag

Invocation: Rev. Bud LaCore, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 9, 13, 14, 15, 16,  
17, 18,

Dropped from agenda: 12, 20

ACTION: (McGrath/Muratore, unan., Patterson and Sutton 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 special and regular City Council meetings of June 27, 1989.  
(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.)

Ron Jourdenaise spoke.

UNFINISHED BUSINESS

4. Letter from James C. Enochs, Superintendent of Modesto City Schools, concerning resolution of the Martone School and Park issues.

ACTION: By motion (Lang/Muratore, majority, McGrath-no, Patterson and Sutton absent) staff recommendation approved, expressing a preference for a park site on the north side of Highway 132.

By motion (Irizarry/Lang, unan., Patterson and Sutton absent) Item 11 taken up after item 4.

5. Consideration of County Social Services Building.

ACTION: By motion (Lang/Muratore, unan., Patterson and Sutton absent) staff recommendation approved. (Manager to handle)

CONSENT

6. Final adoption of Ordinance No. 2675-C.S. amending the Zoning Map to rezone from R-2 to R-1, property on the north side of Hatch Road between Ustick Road and Boise Avenue (R.M.S.C., Inc.)  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2675-C.S. adopted. (Clerk to handle)

HEARINGS

8. Hearing to consider an amendment to Section 27-3-9 of the Zoning Map to rezone from R-2 to R-1, property located on the east side of Sunnyside Avenue and north of Scenic Drive. (Dan Monterosso)

ACTION: By motion (Irizarry/McGrath, unan., Patterson and Sutton absent)  
Ord. No. 2677-C.S. introduced.

Res. 89-732 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

#### BIDS

##### CONSENT

9. Consider calling for bids for the airport passenger terminal project. (Memo with agenda. Resolution calling for bids needed. Estimated cost: \$1,228,098 (building - \$829,401; site work - \$309,913; furniture - \$68,784; landscaping - \$20,000). City's share: \$345,136.50. Funds are budgeted.)

ACTION: Res. 89-733 adopted calling for bids. (P/W to handle)

#### NEW BUSINESS

10. Consider review of monthly sewer rates. (Memo with agenda. Resolution updating monthly sewer charges needed.)

Dropped from agenda

11. Consider introduction of an ordinance to control graffiti and a resolution appropriating money from the General Fund to support a graffiti removal program. (Memo with agenda. Introduction of ordinance and resolution approving appropriation transfer needed. Estimated cost: \$2,000.)

ACTION: By motion (Lang/Irizarry, unan., Patterson and Sutton absent) Ord. No. 2678-C.S. introduced.

Res. 89-734 adopted approving appropriation transfer. (Manager to handle)

Robert Crisp gave the City of Modesto his check for \$500 to be used for graffiti removal, and encouraged others to make donations for this purpose also.

##### CONSENT

12. Consider authorizing City Manager to sign agreements awarding grants to produce original programs for the public access channel on cable television.

(Memo with agenda. Resolution approving agreements needed. Estimated cost: \$5,358. Funds are budgeted.)

Dropped from agenda.

CONSENT

13. Consider request of Sunstar for a variance to the Downtown Exposed Aggregate Sidewalk Standard at 429 13th Street.  
(Memo with agenda. Resolution approving request for variance needed.)

ACTION: Res. 89-735 adopted approving request. (P/W to handle)

CONSENT

14. Consider authorizing City Manager to sign agreement with Pacific Design Associates to update the plans and specifications for Fire Station No. 9. (the proposed fire station is planned for the corner of East Orangeburg and Fara Biundo Drive. The agreement provides for the revision of the architectural, structural, mechanical, and electrical portions of the plans and specifications to bring them into conformance with all Code requirements. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$22,000. Funds are budgeted.)

ACTION: Res. 89-736 adopted approving agreement. (P/W to handle)

CONSENT

15. Consider approval of the final map of Dutch Faire II, Phase III, Subdivision of the City of Modesto and accepting the improvements. Subdivider: Sterling Security Partnership I. (All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Dutch Faire II, Phase III, is located west of Carver Road, south of Snyder Avenue. It contains 7.131 acres. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 89-737 adopted approving final map. (Clerk to handle)

CONSENT

16. Consider approval of the final map of Dutch Faire II, Phase IV, Subdivision of the City of Modesto and accepting the improvements. Subdivider: Sterling Security Partnership I. (All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Dutch Faire II, Phase IV, is located west of Carver Road, south of Snyder Avenue. It contains 7.603 acres. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 89-738 adopted approving final map. (Clerk to handle)

CONSENT

17. Consider acceptance of improvements in Beacon Hill No. 2, Phase II, Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Lawrie Development.  
(All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Beacon Hill No. 2, Phase II, is located at the southwest corner of Floyd and Roselle. It contains 10.088 acres. Resolution accepting improvements needed.)

ACTION: Res. 89-739 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

18. Consider request for water service to property outside City limits at 1716 Shaddox Avenue, located on the south side of Shaddox Avenue between Walker Avenue and Watts Place. Owners: Donald D. and Lillian Keskeys, and Judith A. Heard.  
(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. 89-740 adopted approving agreement. (P/W to handle)

WRITTEN COMMUNICATIONS

19. Letter from Dennis E. Wilson, Chairman of the Downtown Improvement District Board, concerning expansion of the Modesto Redevelopment Agency.

No action taken.

CONSENT

20. Letter from Barbariae Boyette resigning from the Human Relations Commission.  
(Resolution accepting resignation with regret needed.)

Dropped from agenda

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

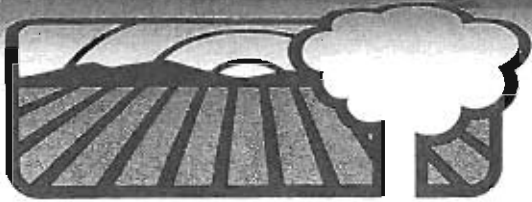
CLOSED SESSION

22. Closed session to consider the evaluation of performance of public employees pursuant to Government Code Section 54957,

ADJOURNMENT

The meeting adjourned at 6:30 p0.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, JULY 11, 1989, AT 7:30 P.M.

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

Absent: Councilmember Patterson

Pledge of allegiance to the Flag

Invocation: Rev. D. Scott Hewes, Emanuel Lutheran Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 8, 10, 11, 12, 13,  
14, 15, 16, 17, 18, 19

Dropped from agenda: 5

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

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Item 7  
COUNCILMEMBER MC GRATH EXCUSED DUE TO A CONFLICT OF INTEREST

ACTION: (Irizarry/Muratore, unan., McGrath 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.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of July 5, 1989, and corrected minutes of the regular City Council meeting of June 20, 1989.  
(Motion approving minutes 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 the appeal of DeLaMare-Fultz, on behalf of Continental Metroplex, to a Planning Commission decision concerning a tentative parcel map to divide property located at the northwest corner of Sylvan Avenue and Oakdale Road and vesting tentative subdivision map, Oakwilde Place located on the east side of Carson Oak Drive and north of Sylvan Road.  
(This appeal has been withdrawn by DeLaMare-Fultz.)

ACTION: By motion (McGrath/Sutton, unan., Patterson absent) receipt of letter withdrawing appeal acknowledged.)

BIDS

CONSENT

5. Consider award of contract for the underground fuel tank removal at Fuel Island No. 2 at Modesto City-County Airport.  
(Bids were opened June 27, 1989. The low bid of \$22,229, submitted by Weldon, Weldon, & Cowell, is 50.60% 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.)

Dropped from agenda.

CONSENT

6. Consider authorizing the purchase of bare root trees from Orange County Nursery and Stribblings Nursery for the total price of \$48,521.  
(Memo with agenda. Two resolutions authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 89-741 adopted awarding bid to Orange County Nursery.  
Res. 89-742 adopted awarding bid to Stribblings Nursery.  
(Finance to handle)

CONSENT

7. Consider declaring Lang's Enterprises lowest responsive bidder for HVAC services for the Centre Plaza.  
(Memo with agenda. Resolution awarding contract needed. Estimated cost: \$20,000. Funds are budgeted.)

ACTION: Res. 89-743 adopted (Irizarry/Muratore, unan., McGrath and Patterson absent) awarding contract to Lang's Enterprises.  
(Finance to handle)

CONSENT

8. Consider declaring a centrifuge surplus to City needs and authorize the Purchasing Officer to sell it on a sealed bid basis.  
(Memo with agenda. Resolution declaring a centrifuge surplus and authorizing sale needed.)

ACTION: Res. 89-744 adopted declaring centrifuge surplus and authorizing sale.  
(Finance to handle)

NEW BUSINESS

9. Consider approval of a resolution relative to the transit system adopting an UMTA Section 13(c) agreement between the City and Teamsters Local 386 and declining to assert its rights with respect to certain portions of the City's agreement with TRIPS, Inc.  
(Memo with agenda. Approval of the 13(c) agreement will enable UMTA to release funds under the City's 1987-88 and 1988-89 UMTA grant application. Resolution approving agreement and declining to assert its rights under certain portions of the TRIPS contract needed.)

ACTION: Res. 89-745 adopted (Lang/McGrath, unan., Patterson absent) approving agreement.  
(P/W & T to handle)

CONSENT

10. Consider recommendation that the candidates for election to the City of Modesto or Modesto City Schools District pay the cost of candidates' statements printed in the Voters' Information Pamphlet.  
(Memo with agenda. Resolution approving recommendation needed.)

ACTION: Res. 89-746 adopted approving recommendation. (Clerk to handle)

CONSENT

11. Consider approving agreements awarding grants to produce original programs for the public access channel on cable television.  
(Memo with agenda. Resolution approving agreements needed. Estimated cost: \$5,358.)

ACTION: Res. 89-747 adopted approving agreement with Ann DeLong.  
Res. 89-748 adopted approving agreement with Donald Kavanaugh.  
Res. 89-749 adopted approving agreement with Randy Magnus.  
Res. 89-750 adopted approving agreement with Guy Wallace.  
(Manager to handle)

CONSENT

12. Consider renewal of City's Excess Worker's Compensation policy with National Union/ACCEL.  
(Memo with agenda. Resolution approving renewal of insurance needed. Estimated cost: \$42,289. Funds are budgeted.)

ACTION: Res. 89-751 adopted approving renewal of insurance.  
(Attorney to handle)

CONSENT

13. Consider placement of City of Modesto's Real and Personal Property Insurance Policy with Fireman's Fund/Hamilton Meridian.  
(Memo with agenda. Resolution approving placement of insurance needed. Estimated cost: \$36,360. Funds are budgeted.)

ACTION: Res. 89-752 adopted approving agreement with Fireman's Fund/Hamilton Meridian.  
(Attorney to handle)

CONSENT

14. Consider approving lease agreements with Larry A. and Patricia L. Askew and David and Sandra Mesenhimer, dba Modesto Flight Center, for the use of the airport.  
(Memo with agenda. Two resolutions approving agreements needed.)

ACTION: Res. 89-753 adopted approving agreement for lease of portion of Hangar No. 1 at Airport.  
Res. 89-754 adopted approving agreement for lease of Office No. 1, Hangar No. 5 and 24 tie-downs.  
(Attorney to handle)

CONSENT

15. Consider authorizing deferring Scenic-Sonoma-Orangeburg drainage fees for Lot "B" of parcel map located on the north side of East Orangeburg Avenue west of Entrada Way.  
(Memo with agenda. Resolution authorizing deferring fees needed.)

ACTION: Res. 89-755 adopted deferring fees.  
(P/W to handle)

CONSENT

16. Consider request for water service to property outside City limits at 4213 McHenry Avenue, located on the west side of McHenry Avenue between Coralwood Road and Bangs Avenue. Owners: Ta Fong Hsu, Sandy Jen Hsu, Ah Ching Lo, and Wing Ming Lo.  
(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. 89-756 adopted approving agreement. (P/W to handle)

CONSENT

17. Consider job description, salary and position allocation for Police Corporal, and changes to classification of Police Sergeant.  
(Memo with agenda. Resolution amending Position Classification Plan to create the classification of Police Corporal and amend the class of Police Sergeant; resolution amending the Class Range Table to establish the salary of Corporal at range 602; and resolution amending Schedule of Salary Ranges, Schedule F to restructure range numbers. Estimated cost: \$25,000. Funds are budgeted.)

ACTION: Res. 89-757 adopted amending Position Classification Plan.  
Res. 89-758 adopted amending the Class Range Table to establish a salary for Corporal.  
Res. 89-759 adopted amending Schedule of Salary Ranges.  
(Manager to handle)

CONSENT

18. Consider certifying to the Board of Supervisors of the County of Stanislaus the amount of money needed by the City of Modesto for the 1989-90 payment of principal and interest on bonds of the Modesto Municipal Sewer District No. 1.  
(Memo with agenda. Resolution certifying amount needed.)

ACTION: Res. 89-760 adopted certifying amount. (Finance to handle)

MISCELLANEOUS

Legislation

CONSENT

19. Staff recommends:

Support of:

SB 1109 (Kopp) Driver's License Suspension - Vandalism

HR 1867 (Anderson) Infrastructure - Financing

Opposition to:

AB 2374 (Cortese) Redevelopment - Statements of Indebtedness

AB 2019 (Harris) Public Records - Penalty for Failure to Disclose Promptly

SB 1235 (L. Greene) Mandatory Housing Fund Plan - for Redevelopment Agencies

SB 1503 (Ayala) Developer Fees - Payment Prior to Application Submittal

AB 2372 (Hannigan) County Retention of Penalties on Delinquent Property Taxes.

(Memo with agenda. Motion accepting recommendations needed.)

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

20.

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 7:37 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 3:00 p.m. July 18, 1989, in the fourth floor conference room, City Hall, Modesto, California, for a meeting with the Turlock Irrigation District Board.

Present: Councilmembers Irizarry, Lang, Muratore, Sutton,  
Mayor Whiteside

Absent: Councilmembers McGrath, Patterson

Consultants described the process they are using for the "Drinking Water Supply Study" for Turlock Irrigation District and mentioned some of their preliminary findings.

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, JULY 18, 1989, AT 4:00 P.M.

Roll Call - Present: Councilmembers Irizarry, Lang, McGrath, Muratore,  
Patterson, Sutton, Mayor Whiteside  
Councilmember McGrath arrived at 4:08 p.m.

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 10, 11, 12, 14,  
15, 16, 17

Removed from consent: 8

ACTION: (Lang/Sutton, unan., McGrath 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 regular City Council meeting of July 11, 1989.  
(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. Report on receipt of written bids for sale of two excess properties, and oral bidding for sale of the properties as required by specification and notice to bidders approved by Council on May 16, 1989.  
(Memo with agenda. Resolution(s) awarding bids needed.)

ACTION: Res. 89-761 adopted (Irizarry/Muratore, unan., McGrath absent)  
selling Parcel No. 1 to Amour George for \$54,000

Councilmember McGrath arrived at 4:08 p.m.

Res. 89-762 adopted (Lang/Irizarry, unan.) selling Parcel No. 2 to  
Amour George for \$54,200. (Attorney to handle)

CONSENT

5. Final adoption of:

- a. Ord. No. 2677-C.S. rezoning from R-2 to R-1 property on the east side of Sunnyside Avenue north of Scenic Drive. (Dan Monterosso)
- b. Ord. No. 2678-C.S. adding a chapter to the Modesto Municipal Code entitled "Blight Ordinance."

(Motion adopting needed.)

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

### HEARINGS

6. Hearing to consider proposed amendments to the Charter of the City of Modesto as recommended by the 1989 Charter Review Committee.

ACTION: Res. 89-763 adopted (Lang/Sutton, unan.) placing all items except "D" on the ballot in November.

A motion to not place item D on the ballot failed to carry (Patterson/McGrath; Irizarry, Lang, Muratore, Sutton and Whiteside-no)

Res. 89-764 adopted (Lang/Sutton, majority, McGrath and Patterson-no) placing item "D" on the ballot in November.  
(Clerk to handle)

Res. 89-765 adopted (McGrath/Sutton, unan.) to place an item on the November ballot to amend the Charter so that the section concerning hearing officers would apply unless there is language in an employee group's M.O.U. specifying some other process. (Clerk to handle)

### NEW BUSINESS

7. Consider review of monthly sewer rates.  
(Memo with agenda. Resolution updating monthly sewer charges needed.)

ACTION: Res. 89-766 adopted (Muratore/Sutton, majority, McGrath-no) approving recommended changes. (Finance to handle)

8. Consider approving an agreement with Kaufman and Broad of Northern California, Inc. for the lease of Fire Station No. 10 in California Chardonay Subdivision.  
(Memo with agenda. Resolution approving lease agreement needed. Estimated cost for annual lease payments: \$13,200. Funds not required until 1990-91 fiscal year.)

ACTION: Res. 89-767 adopted (Patterson/McGrath, unan.) approving agreement. (Fire to handle)

9. Consider establishing Mayor's "Everyone Counts in Modesto" Committee in connection with the 1990 Census.  
(Memo with agenda. Resolution establishing Committee and appointing members needed.)

ACTION: Res. 89-768 adopted (Sutton/Muratore, unan.) establishing Committee and appointing members. (Planning to handle)

CONSENT

10. Consider amending agreement with City Attorney to extend term three years and provide for evaluation of the performance of the City Attorney.  
(Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 89-769 adopted approving amended agreement. (Manager to handle)

CONSENT

11. Consider approving agreement with Avis Rent-A-Car System, Inc. for their operation at the Airport.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-770 adopted approving agreement. (Attorney to handle)

CONSENT

12. Consider renewal of Boiler and Machinery Insurance with Kemper Insurance through Giddings, Corby, Hynes Insurance for year July 15, 1989 - July 15, 1990.  
(Memo with agenda. Resolution approving renewal of insurance needed. Estimated cost: \$3,208. Funds are budgeted.)

ACTION: Res. 89-771 adopted approving renewal of insurance. (Attorney to handle)

CONSENT

14. Consider agreement with the County of Stanislaus for the City of Modesto to process the Modesto Commerce Park Vesting Tentative Subdivision Map, located partially in the City and partially in the County.  
(The site is about 45 acres located on the north side of Kansas Avenue east of Graphics Drive and west of Ninth Street. The Stanislaus County Zoning Ordinance requires an agreement when the County authorizes a city to process a tentative subdivision map located partially in a city and the County. Resolution approving agreement needed.)

ACTION: Res. 89-772 adopted approving agreement. (Planning to handle)

CONSENT

15. Consider consenting to easement agreement between Mervyn's Department Store and adjacent owner, TerraCommercial Development.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-773 adopted approving agreement. (P/W to handle)

CONSENT

16. Consider authorizing City Manager and City Clerk to sign grant deed to Lenny Sorrano for excess property at Sisk and Pelendale.  
(Memo with agenda. Mr. Sorrano has made an offer of \$2,854 for the 314 sq. ft. of property. Resolution approving grant deed needed.)

ACTION: Res. 89-774 adopted approving grant deed. (Attorney to handle)

MISCELLANEOUS

Legislation

CONSENT

17. Staff recommends opposition to SB 1258 (Bergeson) Mandatory Acceptance of County-Approved Development Agreements for Annexed Areas.  
(Memo with agenda. Motion accepting recommendation needed.)

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

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 5:33 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

City Hall  
801 11th Street  
Modesto, California

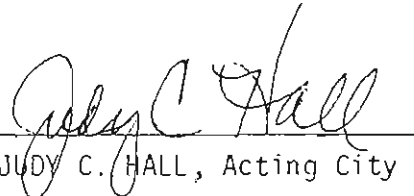
The Council of the City of Modesto met in a special session at 6:00 p.m., July 25, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Sutton, Mayor Whiteside

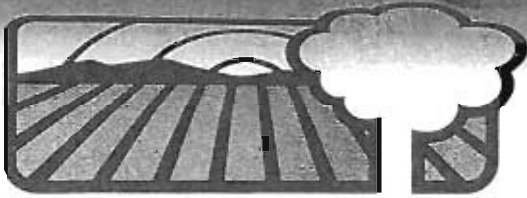
Absent: None

The meeting adjourned to closed session at 6:05 p.m. to consider the evaluation of performance of public employees pursuant to Government Code Section 54957.

ATTEST:

  
JUDY C. HALL, Acting City Clerk

7/25/89



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

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

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 25, 1989, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 7, 8, 9, 10, 11,  
15, 16, 17, 18, 19, 20, 21, 22,  
23, 24

Dropped from agenda: 14

ACTION: (Irizarry/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.

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the special and regular City Council meetings of July 18, 1989.  
(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.)

Ron Jourdenais spoke.

UNFINISHED BUSINESS

CONSENT

4. Consider establishing self-fueling fees and charges and authorizing Modesto City-County Airport the authority to assess and collect said fees. (Memo with agenda. Resolution establishing self-fueling fees and charges needed.)

ACTION: Res. 89-775 adopted establishing self-fueling fees and charges.  
(P/W to handle)

HEARINGS

5. Hearing to consider the appeal of Modesto Imaging Center to a Board of Zoning Adjustment decision regarding the application of Anthony C. Pings and Associates for a plot plan for a medical office complex in the P-0 Zone located between East Coolidge and East Granger Avenues, east of McHenry Avenue.

ACTION: Res. 89-776 adopted (McGrath/Patterson, unan.) granting appeal.  
(Clerk/Planning to handle)

Item 28 considered at this time.

5. Hearing to consider the appeal of Mid-Valley Engineering to a Planning Commission decision concerning a condition of approval of the revised development plan and new development schedule for P-D(53), the Sylvan Square shopping center located on the northeast corner of Sylvan Avenue and Coffee Road.

ACTION: Res. 89-777 adopted (Lang/McGrath, majority, Irizarry-no) granting appeal.  
(Clerk/Planning to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for water line extensions on Rouse Avenue, Creekwood Avenue, Glenn Avenue, Semallon Avenue, and Claus Road.  
(Suggested bid opening: August 15, 1989, at 11:00 a.m. Resolution approving plans and specifications and call for bids. Estimated cost: \$126,005 (contract \$114,550; eng. & cont. \$11,455). Funds are budgeted.)

ACTION: Res. 89-778 adopted calling for bids. (P/W to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the chip sealing of the Ninth Street bridge.  
(Suggested bid opening: August 15, 1989, at 11:05 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$130,431.13 (contract - \$118,573.75; eng. & cont. - \$11,857.38) Funds are budgeted.)

ACTION: Res. 89-779 adopted calling for bids. (P/W to handle)

CONSENT

9. Consider authorizing the Purchasing Officer to issue a change order to Paramount Equipment Sales for the purchase of two additional fire pumper trucks for the total price of \$431,168; and authorizing the City Manager to sign lease-purchase agreement with Municipal Leasing Associates, Inc., for the financing of the vehicles.  
(Memo with agenda. Resolution approving change order, resolution approving lease-purchase agreement, and resolution amending budget needed.)

ACTION: Res. 89-780 adopted approving change order.  
Res. 89-781 adopted approving lease-purchase agreement.  
Res. 89-782 adopted approving amended budget. (Finance to handle)

CONSENT

10. Consider award of contract for the underground fuel tank removal at Fuel Island No. 2 at the Modesto City-County Airport  
(Bids were opened June 27, 1989. The low bid of \$22,229, submitted by Weldon, Weldon, & Cowell, is 50.60% 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 to Weldon, Weldon, & Cowell needed. Funds are budgeted.)

ACTION: Res. 89-783 adopted awarding contract. (P/W to handle)

CONSENT

11. Consider waiving formal bid procedures and authorize the purchase of twenty Police patrol cars from Sopp Chevrolet of Huntington Park, California, for the total price of \$296,615.56, and approving a budget transfer in that amount from the Contingency Reserve.  
(Memo with agenda. Resolution waiving formal bid procedures (five affirmative votes needed) and authorizing purchase, and resolution approving appropriation transfer needed.)

ACTION: Res. 89-784 adopted waiving formal bid procedures.  
Res. 89-785 adopted approving appropriation transfer.  
(Finance to handle)

NEW BUSINESS

12. Consider supporting the Village Concept for the planning of the Urban Reserve.  
(A memo, "Village Concept," from the Planning Commission with agenda. The memo notes community input regarding the concept and concludes that the City should proceed with the concept for the Urban Reserve. Motion supporting concept and referring to a study session with the Planning Commission at 7:30 a.m. on Tuesday, August 8, 1989, in the Fourth Floor Conference Room needed.)

ACTION: By motion (McGrath/Sutton, unan.) supported concept and referred to study session with Planning Commission. (Planning to handle)

13. Consider the Specific Plan and Financing Plan, Village No. 1.  
(Memo with agenda. The Public Projects Committee and Planning Commission recommend the following: Motion directing staff to solicit planning consultant and traffic engineering consultant teams to prepare a Specific Plan and Draft EIR; motion directing staff to solicit financial consultants to prepare a Financing Plan; motion designating Planning Commission as the lead City agency on this project and approving the process for completion of Village 1; and motion approving a funding plan needed. Four motions needed.)

ACTION: By motion (McGrath/Sutton, unan.) staff directed to solicit planning consultant and traffic engineer consultant teams to prepare a Specific Plan and Draft EIR.  
By motion, (same vote) directed staff to solicit financial consultants to prepare a Financing Plan.  
By motion (same vote) designated Planning Commission as lead City agency on this project and approved the process for completion of Village 1.  
By motion, (same vote) approved a funding plan.  
(Planning to handle)

CONSENT

14. Consider approving agreement between the City of Modesto and Balloons Over the Valley Air Festival to conduct a hot air balloon event at the Modesto Airport on September 16 and 17, 1989.  
(Memo with agenda. Resolution approving agreement needed.)

Dropped from agenda

CONSENT

15. Consider accepting a bid of \$189,000 from Bugs and Rose Bougerba for the purchase of City properties at 101 A, B, C, and D I Street, 107-109 I Street, and 905 2nd Street, and authorizing the City Manager's signature on the escrow instructions and final sale documents.  
(Memo with agenda. City authorized listing of property with a real estate broker. Resolution accepting bid needed.)

ACTION: Res. 89-786 adopted accepting bid. (Planning to handle)

CONSENT

16. Consider approving an agreement with Stanislaus Residential Services for a grant of \$31,500 under the 1989-90 Community Development Block Grant program to establish and operate a halfway house for persons completing a substance abuse program.  
(Memo with agenda. Stanislaus Residential Services has requested operational funding under the 1989-90 CDBG program. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 89-787 adopted approving agreement. (Planning to handle)

CONSENT

17. Consider approving an agreement with Equality Council for Housing Opportunities of Stanislaus for a grant of \$50,000 under the 1989-90 Community Development Block Grant program for fair housing activities.  
(Memo with agenda. ECHOS requested operational funding under the 1989-90 CDBG program. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 89-788 adopted approving agreement. (Planning to handle)

CONSENT

18. Consider approving an agreement with Multi Cultural Center for a grant of \$17,000 for start-up operations under the 1988-89 Community Development Block Grant program, and amending the 1988-89 Final Statement of Community Development Objectives.  
(Memo with agenda. Resolution approving an agreement and amending 1988-89 Final Statement needed. Funds are budgeted.)

ACTION: Res. 89-789 adopted approving agreement and amending Final Statement. (Planning to handle)

CONSENT

19. Consider approving an agreement with California Association of the Physically Handicapped for \$5,000 to purchase equipment for the hearing impaired under the 1988-89 Community Development Block Grant program, and amending the 1988-89 Final Statement of Community Development Objectives.  
(Memo with agenda. Resolution approving agreement and amending 1988-89 Final Statement. Funds are budgeted.)

ACTION: Res. 89-790 adopted approving agreement and amending Final Statement. (Planning to handle)

CONSENT

20. Consider approving agreement with Caltrans for replacement of 8" clay pipe with 8" ductile iron sewer pipe on Highway 132 between D street and Santa Rosa Avenue.  
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$532. Funds are budgeted.)

ACTION: Res. 89-791 adopted approving agreement. (P/W to handle)

CONSENT

21. Consider abandonment of a ten-foot Public Utility Easement in Lot 12 of Block 3024 of Paradise Estates Subdivision of the City of Modesto.  
(Memo with agenda. Resolution vacating and abandoning Public Utility Easement needed.)

ACTION: Res. 89-792 adopted abandoning Public Utility Easement. (P/W to handle)

CONSENT

22. Consider acceptance of improvements in Orangeburg Professional Plaza Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Scott Orangeburg Investors  
(Orangeburg Professional Plaza is located on the north side of East Orangeburg Avenue between Collier Avenue and Trombetta Avenue. It contains 1.499 acres. All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 89-793 adopted accepting improvements as complete. (P/W to handle)

CONSENT

23. Presentation of Monthly Treasurer's Report for June, 1989.  
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

24. Consider directing City Clerk to submit a copy of the proposed Charter amendment measures to the City Attorney for preparation of an impartial analyses of the measures.  
(The Charter amendment measures are being submitted to the voters at the November 7, 1989, election. Memo with agenda. Resolution transmitting a copy of the measures to the City Attorney for impartial analyses needed.)

ACTION: Res. 89-794 adopted transmitting copy of measures to Attorney. (Clerk to handle)

MISCELLANEOUS

Appointments

25. Consider reappointments to Citizens Housing and Community Development Committee.

ACTION: Res. 89-796 adopted (McGrath/Irizarry, unan.) reappointing John Kenealy, David Dill, Ora Scruggs and Steven Franklin, terms to expire 6/30/93.

MATTERS TOO LATE FOR THE AGENDA

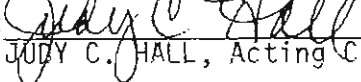
26. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

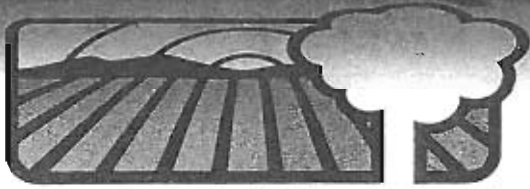
ACTION: By motion (Patterson/McGrath, unan.) it was determined the following matter would be considered.

By motion (McGrath/Irizarry, unan.) R.C. Smith, Airport Manager, was commended for his service and congratulated on his retirement.

ADJOURNMENT

The meeting adjourned at 10:07 p.m.

ATTEST:   
JUDY C. HALL, Acting 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 3:00 p.m., August 1, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson,  
Sutton, Mayor Whiteside  
Councilmember Muratore arrived at 3:03 p.m.  
Councilmember Patterson arrived at 3:04 p.m.  
Councilmember McGrath arrived at 3:14 p.m.

Absent: None

The meeting adjourned at closed session at 3:02 p.m. to consider the evaluation of performance of public employees pursuant to Government Code Section 54957.

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 1, 1989, AT 4:00 P.M.

Roll Call - Present: Councilmembers Irizarry, Lang, McGrath, Muratore,  
Patterson, Sutton, 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, 4, 5, 6, 7, 8, 9, 10,  
21, 22, 23, 25, 26, 27, 28, 29, 30

Removed from consent: 12,13,14,15,16,17,18,19,20,24

ACTION: (Lang/Irizarry, 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.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Joe Byrne will announce a new Veterans Program in Modesto and Stanislaus County.

Dropped from agenda.

MINUTES

CONSENT

2. Approval of the minutes of the regular and special City Council meetings of July 25, 1989.  
(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 approval of plans and specifications and call for bids for Modesto Verde block wall.  
Suggested bid opening: August 22, 1989, at 11:00 a.m. The construction of this wall will provide protection from vandalism and road sound and provide for privacy for the homeowners of Modesto Verde Mobilehome Park. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$72,000 (contract \$67,275; eng. & cont. \$4,725). Funds are budgeted.)

ACTION: Res. 89-796 adopted calling for bids. (P/W to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for 1989 Cape Seals.  
(Suggested bid opening: August 15, 1989, at 11:10 a.m. This project represents the second year the rehabilitation treatment called cape seal will be applied to Modesto streets. The non-structural treatment is expected to have a 10-year service life. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$329,195.96 (contract \$286,257.35; eng. & cont. \$42,938.61). Funds are budgeted.)

ACTION: Res. 89-797 adopted calling for bids. (P/W to handle)

CONSENT

6. Consider approving specifications and Notice to Bidders for the sale of a 2,786+ square foot four-bedroom, three-bath house located at 2845 Lincoln Avenue .  
(Memo with agenda. Suggested bid opening: September 5, 1989, at 10:00 a.m. Resolution approving specifications and Notice to Bidders and call for bids needed.)

ACTION: Res. 89-798 adopted calling for bids. (Attorney to handle)

CONSENT

7. Consider acceptance of B & L Builders, Inc., 's contract for the Wesson Ranch Park play apparatus installation. (Original contract: \$42,964)  
(All work on this project has been completed to the satisfaction of the Public Works and Parks Departments. 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: \$43,372.25. Funds are budgeted.)

ACTION: Res. 89-799 adopted accepting as complete. (Clerk to handle)

CONSENT

8. Consider acceptance of Clyde Wheeler Pipeline, Inc.'s contract for the Floyd/Roselle water line extension. (Original contract: \$36,357.50)  
(All work on this project has been completed to the satisfaction of the Public Works Department. 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: \$36,938.34. Funds are budgeted.)

ACTION: Res. 89-800 adopted accepting as complete. (Clerk to handle)

CONSENT

9. Consider waiving formal bid procedures and authorize the purchase of two Rotary Flail Mowers from H. V. Carter Company for the total cost of \$83,203.64, and approving an appropriation transfer to finance the purchase.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed, (Five affirmative votes needed.) and resolution approving appropriation transfer needed.)

ACTION: Res. 89-801 adopted waiving formal bid procedures.  
Res. 89-802 adopted approving appropriation transfer.  
(Finance to handle)

CONSENT

10. Consider waiving formal bid procedures and authorize the purchase of two Detroit diesel engines from Russet Power Systems for the total price of \$24,006.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-803 adopted waiving formal bid procedures.  
(Finance to handle)

NEW BUSINESS

11. Consider request of Leon A. Johnson to waive processing fee to postpone installation of an 8-foot high wall for Adobe Abode subdivision.  
(Memo with agenda. Motion accepting staff recommendation needed.)

ACTION: By motion (Lang/Muratore, unan.) staff recommendation accepted.  
(Planning to handle)

12. Consider approving an agreement with California Rural Legal Assistance (CRLA), Modesto Chapter, for a grant of \$8,000 for a Tenants' Rights Project.  
(Memo with agenda. CRLA requested funding under Community Development Block Grant for a project to write and print tenants' rights handbooks and to translate the handbooks into other languages. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 89-804 adopted (McGrath/Sutton, unan.) approving agreement.  
(Planning to handle)

13. Consider approving an agreement with California Rural Legal Assistance (CRLA), Modesto Chapter, for a grant of \$12,975 under the 1989-90 Community Development Block Grant (CDBG) program, to do an Affordable Housing Survey.  
(Memo with agenda. CRLA requested funding under CDBG to determine need and types of affordable housing in Modesto. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 89-805 adopted (McGrath/Sutton, unan.) approving agreement.  
(Planning to handle)

14. Consider approving an agreement with Senior Opportunity Service Program of Stanislaus County (SOSP) for a grant of \$17,000 under the 1989-90 Community Development Block Grant program, to establish a combined administration of four senior service agencies.  
(Memo with agenda. SOSP requested funding to combine administration of Alzheimers Disease, head trauma, stroke resources, and widows and widowers. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 89-806 adopted (McGrath/Sutton, unan.) approving agreement.  
(Planning to handle)

15. Consider approving an agreement with Senior Opportunity Service Program of Stanislaus County (SOSP) for a grant of \$5,000 under the 1989-90 Community Development Block Grant program, to assist senior citizens with a minor home repair program.  
(Memo with agenda. SOSP requested funding to do minor repairs in the homes of low income seniors. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 89-807 adopted (McGrath/Sutton, unan.) approving agreement.  
(Planning to handle)

16. Consider approving an agreement with Senior Opportunity Service Program of Stanislaus County (SOSP) for a grant of \$9,000 under the 1989-90 Community Development Block Grant program, for their Senior Nutrition and Meals Transportation Program.  
(Memo with agenda. SOSP requested funding from CDBG program to match other grant funds. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 89-808 adopted (McGrath/Sutton, unan.) approving agreement.  
(Planning to handle)

17. Consider approving an agreement with Yes You Can Museum for a grant of \$12,500 under the 1989-90 Community Development Block Grant program, for Exhibit and Programming Assistance.  
(Memo with agenda. Yes You Can Museum requested funding to expand the children's exhibits and programs. Funds are budgeted.)  
Mayor Whiteside excused due to a conflict of interest.

ACTION: Res. 89-809 adopted (McGrath/Sutton, unan., Whiteside absent) approving agreement.  
(Planning to handle)

18. Consider approving an agreement with Volunteer Center for a grant of \$10,000 under the 1989-90 Community Development Block Grant program, to operate an adult literacy tutoring program.  
(Memo with agenda. Volunteer Center requested funding to help expand their Adult Literacy Expansion Program. Funds are budgeted.)

ACTION: Res. 89-810 adopted (McGrath/Sutton, unan.) approving agreement.  
(Planning to handle)

19. Consider approving an agreement with Multi Cultural Center for a grant of \$18,000 under the 1989-90 Community Development Block Grant program, for program funding of job readiness training.  
(Memo with agenda. Multi Cultural Center has requested job readiness training funds for diverse ethnic groups in Modesto. Funds are budgeted.)

ACTION: Res. 89-811 adopted (McGrath/Sutton, unan.) approving agreement.  
(Planning to handle)

20. Consider approving an agreement with United Way for a grant of \$25,000 under the 1989-90 Community Development Block Grant program, to operate the Senior Aides Program  
(Memo with agenda. United Way requested funding for the local share of a grant from the National Council of Senior Citizens for the Senior Aides Project. Funds are budgeted.)  
Councilmember Patterson and Mayor Whiteside excused due to conflicts of interest.

ACTION: Res. 89-812 adopted (McGrath/Muratore, unan., Patterson and Whiteside absent) approving agreement. (Planning to handle)

CONSENT

21. Consider authorizing the hiring of one Police Clerk and amending the budget for Fiscal Year 1989-90 to provide financing.  
(Memo with agenda. Cost to be shared equally by the City of Modesto and the Stanislaus Drug Enforcement Agency. Forward Modesto IV follow-up. From the Security/Law Enforcement Committee: "The City Council should hire additional police personnel to accomplish a ratio of 2.0 employees per 1,000 population." Estimated cost: \$13,423 (City's share). Resolution approving the hiring of Police Clerk and resolution amending the annual budget needed.)

ACTION: Res. 89-813 adopted authorizing hiring.  
Res. 89-814 adopted amending the budget. (Police to handle)

CONSENT

22. Consider proclaiming Tuesday, August 8, 1989, as "National Night Out" in Modesto.  
(National Night Out is August 8th this year. The Police Department, as coordinator for the event, requests City Council support of this crime prevention event. Forward Modesto IV Follow-up: Security/Law Enforcement Task Force: "The City Council should revitalize and expand the activities of the Neighborhood Watch program." Resolution proclaiming "National Night Out" needed.)

ACTION: Res. 89-815 adopted proclaiming National Night Out.  
(Police to handle)

CONSENT

23. Consider approval of the final map of Dutch Faire II, Phase II subdivision of the City of Modesto and consider accepting the improvements. (Subdivider: Dutch Faire II and Sterling-Security Partnership I)  
(All improvements have been completed to the satisfaction of the Public Works Department and all fees have been paid. Dutch Faire II, Phase II subdivision is located on the west side of Carver Road, north of Cheyenne Way. It contains 1.207 acres. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 89-816 adopted approving final map. (Clerk to handle)

24. Consider approval of the final map of Mountainview Terrace Unit No. 1 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: Security Owners Corporation)  
(the subdivision agreement has been signed and all fees paid. Mountainview Terrace Unit No. 1 is located north of Kansas Avenue and east of Rosemore Avenue. It contains 14.425 acres. Resolution approving final map needed.)

ACTION: Res. 89-817 adopted (Lang/Sutton, unan.) approving final map.  
(Clerk to handle)

CONSENT

25. Consider authorizing City Manager to sign amendment to agreement with Robert C. Arthur for drafting services.  
(Memo with agenda. Resolution approving amendment to agreement and resolution approving appropriation transfer needed. Estimated cost: \$27,000.)

ACTION: Res. 89-818 adopted approving amended agreement.  
Res. 89-819 adopted approving appropriation transfer. (P/W to handle)

CONSENT

26. Consider request for water service to property outside City limits at 1049 Lone Palm Avenue between Emerald Avenue and Kansas Avenue.  
(Owners: Joe J. and Lindy J. Martin)  
(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. 89-820 adopted approving agreement. (P/W to handle)

CONSENT

27. Consider authorizing refund of \$2,087.72 for overpayment of Business Improvement Area Tax by Thompson-Hysell Engineers, 1016 12th Street, Modesto, California.  
(Memo with agenda. Resolution authorizing refund needed.)

ACTION: Res. 89-821 adopted authorizing refund. (Finance to handle)

CONSENT

28. Consider renewal of Museum Floater Policy with Great American Insurance through Giddings, Corby, Hynes, Inc. for the policy period of August 6, 1989 - August 6, 1990.  
(Memo with agenda. Resolution approving renewal needed. Funds are budgeted.)

ACTION: Res. 89-822 adopted approving renewal. (Attorney to handle)

WRITTEN COMMUNICATIONS

CONSENT

29. Letter from Mid-Valley Engineering, on behalf of Memorial Hospital Association, requesting abandonment of Spanos Court.  
(Motion referring to Planning Commission needed.)

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

CONSENT

30. Letter from John R. Walton, Acting District Right of Way Engineering, State Department of Transportation, regarding the relinquishment of an easement for public road purposes on Highway 132, D Street to Las Flores.  
(Motion referring to staff needed.)

ACTION: By motion, letter referred to Planning and Community Development and Public Works and Transportation Departments.  
(Planning, P/W to handle)

MATTERS TOO LATE FOR THE AGENDA

31. (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

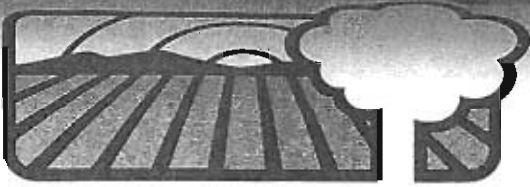
32. Closed session to discuss property acquisition pursuant to Government Code Section 54956.8 and pending litigation pursuant to Government Code Section 54956.9(a).

Dropped from agenda.

ADJOURNMENT

The meeting was adjourned at 4:35 p.m. to Tuesday, August 8, 1989, at 7:30 a.m., in the Fourth Floor Conference Room, City Hall, 801 11th Street, Modesto, California for a joint meeting with the Planning Commission to discuss the Village concept.

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 a.m., August 8, 1989, in the Fourth Floor Conference Room, City Hall, Modesto, California, for a joint meeting with the Modesto Planning Commission.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Sutton, Mayor Whiteside

Councilmember Patterson arrived at 7:43 a.m.; left at 8:43 a.m.

Councilmember Muratore arrived at 7:45 a.m.; left at 8:43 a.m.

Councilmember McGrath arrived at 7:47 a.m.

Councilmember Irizarry arrived at 7:47 a.m.

Absent: None

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

Commissioner Dunbar arrived at 7:45 a.m.

Absent: None

Mayor Whiteside thanked the Planning Commissioners for the work they had done on the Villages ideas and plans.

Chairperson Gallagher reviewed various parts of the plan. There was a discussion about methods of including affordable housing in the villages.

A question was raised about how to complete the existing partially developed neighborhoods. It was felt that a separate strategy is needed for this. Staff was requested to look into options of providing sewer service to these areas.

Mayor Whiteside said, "The tough decisions are yet to come."

The meeting adjourned at 8:55 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, AUGUST 8, 1989, AT 7:30 P.M.

Roll Call - Present: Councilmembers Irizarry, Lang, McGrath, Muratore,  
Patterson, Sutton, Mayor Whiteside  
Councilmember Irizarry arrived at 7:39 p.m.

Absent: None

Pledge of allegiance to the Flag

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

ACTION: (Lang/Sutton, unan., Irizarry 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 special and regular City Council meetings of August 1, 1989.  
(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. Report on status of school/park acquisition in the West Maze/Woodland area.

ACTION: By motion (McGrath/Sutton, unan.) prior action was reaffirmed that year-round school at Martone School will be capped in 1991, and the School District is to be notified of this action in writing with acknowledgement of receipt of the notice. (Clerk to handle)

After item 19, by motion (McGrath/Muratore, unan.) it was agreed to reopen this matter for further discussion.

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for the removal of the existing bleachers and repair concrete at Mancini Bowl. (Suggested bid opening: August 29, 1989, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$23,265 (contract - \$21,150; eng. & cont. - \$2,115). Funds are budgeted.)

ACTION: Res. 89-823 adopted calling for bids. (P/W to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for the installation of seating in Mancini Bowl/Graceada Park.  
(Suggested bid opening: August 29, 1989, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$181,591 (contract - \$172,944; eng. & cont. - \$8,647). Funds are budgeted.)

ACTION: Res. 89-824 adopted calling for bids. (P/W to handle)

CONSENT

7. Consider acceptance of Collins Electric Co.'s contract for the traffic signals and street improvements at Dale and Snyder. Original contract: \$112,750.  
(All work on this project has been completed to the satisfaction of the Public Works Department. 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: \$120,950. Funds are budgeted.)

ACTION: Res. 89-825 adopted accepting work as complete. (Clerk to handle)

CONSENT

8. Consider acceptance of Howk Systems' contract for Well No. 13 sand trap installation. Original contract: \$35,820.  
(All work on this project has been completed to the satisfaction of the Public Works Department. 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: \$47,945. Funds are budgeted.)

ACTION: Res. 89-826 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider acceptance of Heaps Electrical's contract for the Muncy, Lakewood and Sipherd Parks lighting. Original contract: \$22,397.50.  
(All work on this project has been completed to the satisfaction of the Public Works Department. 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: \$24,049. Funds are budgeted.)

ACTION: Res. 89-827 adopted accepting work as complete. (Clerk to handle)

NEW BUSINESS

CONSENT

10. Consider authorizing City Manager to sign reimbursement agreement with Kaufman and Broad for installation of a 12 inch sanitary sewer subtrunk. (California Chardonnay subdivision is located on Whitmore Avenue and Ustick Road. The developer has requested permission to install City's sewer line in order to reduce time delays. An agreement is needed to allow reimbursement for construction costs. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-828 adopted approving agreement. (P/W to handle)

CONSENT

11. Consider authorizing City Manager to sign reimbursement agreement with Kaufman and Broad for installation of a storm drain trunk line. (California Chardonnay subdivision is located on Whitmore Avenue and Ustick Road. The developer has requested permission to install City's storm trunk line in order to reduce time delays. An agreement is needed to allow reimbursement for construction costs. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-829 adopted approving agreement. (P/W to handle)

CONSENT

12. Consider approving a budget amendment to estimate additional revenue and to appropriate funding for a residential alley paving project. (The City has been petitioned by property owners from 11 alleys requesting that their alleys be paved. Memo with agenda. Resolution approving budget amendment to the 1989-90 annual budget needed. Estimated cost: \$155,000.)

ACTION: Res. 89-830 adopted amending budget. (P/W, Finance to handle)

By motion (McGrath/Muratore, unan.) it was agreed to reconsider this item after item 19.

13. Consider approving an appropriation transfer of \$5,000 for one-third of the cost of a block wall at the Modesto High School pool. (Memo with agenda. Resolution approving appropriation transfer needed.) Councilmember Lang excused due to a conflict of interest.

ACTION: Res. 89-831 adopted (McGrath/Irizarry, unan.) approving appropriation transfer. (P/R, Finance to handle)

CONSENT

14. Consider adoption of Resolution of Intention to vacate and abandon a portion of Achor Court west of McHenry Avenue.  
(On July 17, 1989, the Planning Commission adopted Resolution No. 89-96 recommending to the City Council abandonment of a portion of Achor Court west of McHenry Avenue. It is recommended that the Resolution of Intention be adopted setting September 12, 1989, at 7:30 p.m. as the time for the hearing. Resolution of Intention needed.)

ACTION: Res. 89-832 adopted approving Resolution of Intention. (Clerk to handle)

CONSENT

15. Consider setting public hearing for proposed amendment to the General Plan Map to include an elementary school and park site in the Merle Neighborhood.  
(On July 10, 1989, the Planning Commission adopted Resolution No. 89-94 recommending to the City Council an amendment to the General Plan Map to include an elementary school and park site in the Merle Neighborhood. Staff recommends setting a hearing on August 22, 1989, at 7:30 p.m. Resolution setting hearing needed.)

ACTION: Res. 89-833 adopted setting hearing. (Clerk to handle)

16. Consider authorizing the Economic Development Manager to represent the City of Modesto before the California Air Resources Board during a public hearing to consider the adoption of a regulation amending the new and modified stationary source review rules of the eight San Joaquin Valley County Air Pollution Control Districts.  
(Memo with agenda. Motion authorizing attendance needed.)

ACTION: By motion (McGrath/Sutton, unan.) the Economic Development Manager was authorized to represent the City of Modesto before the California Air Resources Board.

Res. 89-834 adopted (McGrath/Sutton, unan.) favoring the maintaining and improving of our environment, especially the air quality.

CONSENT

17. Consider approving an agreement with Balloons Over the Valley Air Festival to conduct a hot air balloon event at the Modesto Airport on September 16 and 17, 1989.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-835 adopted approving agreement. (P/W to handle)

MISCELLANEOUS

Legislation

CONSENT

18. Staff recommends:

Supporting

- a. AB 1441 (Clute) Abandoned Vehicles

Opposing:

- b. AB 2080 (M. Waters) Redevelopment - Mandatory Housing Expenditures  
c. SB 968 (Bergeson) and SCA 19 (Bergeson) Revenue Exchanges - Annexations

Opposing, unless amended

- d. SB 1402 (Campbell) Airport Mechanics and Services  
e. Rescinding Council action of May 23, 1989, opposing AB 842 (Chacon) Initiative Measures

(Memo with agenda. Motion approving recommendations needed.)

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

Appointments

19. Consider appointments to:

- a. Citizens Housing and Community Development Committee

ACTION: Res. 89-836 adopted (Muratore/Irizarry, unan.) reappointing Art Martin.

- b. Rehabilitation Loan Pool Subcommittee

ACTION: Res. 89-837 adopted (Muratore/Irizarry, unan.) reappointing Jack Schmid and Bill Covey.

- c. Economic Development Loan Pool Subcommittee

ACTION: Res. 89-838 adopted (Muratore/Irizarry, unan.) reappointing Art Martin.

- d. Affirmative Action Commission

ACTION: Res. 89-839 adopted (Muratore/Irizarry, unan.) appointing Frank Lopez.

e. Citizens Advisory Committee on Recycling

ACTION: Res. 89-840 adopted (Muratore/Irizarry, unan.) appointing George Surface.

f. Fire Department Master Plan Citizens Advisory Committee

ACTION: Res. 89-841 adopted (Muratore/Irizarry, unan.) appointing Terri Amerio-Bell, Nicholas S. Bavaro, Randy Clark, Ron Earl, Mitchell S. Gagos, Janice A. Gray, John A. Grover, Douglas E. Petrick, Michael R. Pratt, Stacey H. Pray, John Allen Woods.

(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

CLOSED SESSION

21. Closed session to consider salaries, salary schedules, or compensation paid in the form of fringe benefits pursuant to Government Code Section 54957.6 and to consider pending litigation pursuant to Government Code Section 54956.9(a) and (b).

ADJOURNMENT

The meeting adjourned to closed session at 8:57 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 3:00 p.m., August 15, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Sutton, Mayor Whiteside

Councilmember McGrath arrived at 3:04 p.m.  
Councilmember Patterson arrived at 3:42 p.m.

Absent: None

The meeting adjourned at 3:01 p.m. to closed session to consider the evaluation of performance of public employees pursuant to Government Code Section 54957.

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 15, 1989, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. George Telle, Pastor Emeritus of Trinity Presbyterian  
Church

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

ACTION: (Sutton/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.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned and regular City Council meetings of August 8, 1989.  
(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. Discussion of status of E.D.A. Center Plaza garage grant.

No action taken

CONSENT

5. Consider confirmation of the revised report of the Superintendent of Streets for the construction of curb and sidewalk along Monterey Avenue at 1501 Monterey Avenue.  
(The assessment to the owner of 1501 Monterey Avenue (Jerry D. Reese) will be reduced to compensate for City's omission of a second drive approach for his duplex. Memo with agenda. Resolution confirming revised report.)

ACTION: Res. 89-842 adopted confirming report. (P/W to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for the residential alley paving project No. 15.  
(Suggested bid opening: September 7, 1989, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$150,135.30 (cont. - \$140,123; eng. & cont. - \$14,012.30) Funds are budgeted.)

ACTION: Res. 89-843 adopted calling for bids. (P/W to handle)

CONSENT

7. Consider acceptance of Collins Electrical's contract for traffic signals, Oakdale Road and Merle Avenue. Original contract: \$65,900. (All work on this project has been completed to the satisfaction of the Public Works Department. 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: \$66,339. Funds are budgeted.)

ACTION: Res. 89-844 adopted accepting work as complete. (Clerk to handle)

NEW BUSINESS

CONSENT

8. Consider approval of comprehensive Memorandum of Understanding with the Modesto City Employees' Association. (Memo with agenda. Resolution approving Memorandum of Understanding needed.)

ACTION: Res. 89-845 adopted approving Memorandum of Understanding. (Manager to handle)

CONSENT

9. Consider approval of the final map of Orange Park 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: JRH Capital Investment, Inc. (The subdivision agreement has been signed and all fees paid. Orange Park Estates is located on the north side of East Orangeburg Avenue west of Entrada Way. It contains 6.583 acres. Resolution approving final map needed.)

ACTION: Res. 89-846 adopted approving final map. (Clerk to handle)

CONSENT

10. Consider request for water service to property outside City limits at 1128 Reno Avenue, located on the east side of Reno Avenue between Kansas Avenue and Woodland Avenue. Owners: Brouwer Brothers. (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. 89-847 adopted approving agreement. (P/W to handle)

CONSENT

11. Consider approving a reimbursement agreement with the William Lyon Company for street improvements in Claus Road, and authorizing an appropriation transfer for a new C.I.P. project.  
(Memo with agenda. City is responsible for pavement construction in Claus Road which is more than 40 feet from property line. Developer has constructed the City's required pavement and reimbursement is in order. Resolution approving agreement and resolution approving appropriation transfer. Final cost: \$24,530.80.)

ACTION: Res. 89-848 adopted approving agreement.  
Res. 89-849 adopted approving appropriation transfer.  
(P/W, Finance to handle)

CONSENT

12. Consider declaring as surplus and authorize the sale of surplus, lost, stolen, unclaimed and/or seized property accumulated by the City of Modesto at a public auction to be conducted by Roger Ernst and Associates on August 26, 1989, at 824 Kiernan Avenue  
(Memo with agenda. Resolution declaring property as surplus and authorizing Purchasing Officer to hold public auction on August 26, 1989, needed.)

ACTION: Res. 89-850 adopted declaring property surplus.  
(Finance to handle)

CONSENT

13. Consider authorizing the City Manager to sign an "Acceptance of Grant Allocation" for \$150,000 in funding under the State History and Archaeology Program for the McHenry Mansion.  
(Memo with agenda. Resolution accepting grant and authorizing City Manager to sign "Acceptance of Grant Allocation" needed.)

ACTION: Res. 89-851 adopted accepting grant offer. (P/R to handle)

CONSENT

14. Consider authorizing City Manager to sign a grant application for \$47,122.86 in funding under the Urban Forestry Grant Program for the Modesto Forestation Project.  
(Memo with agenda. Resolution authorizing City Manager to approve grant application needed.)

ACTION: Res. 89-852 adopted approving grant application. (P/R to handle)

CONSENT

15. Consider increasing the Petty Cash Account in the Centre Plaza Fund 670 from \$350 to \$400.  
(Memo with agenda. Resolution increasing the Petty Cash Account in the Centre Plaza Fund by \$50 needed.)

ACTION: Res. 89-853 adopted increasing Petty Cash Account.  
(Finance to handle)

CONSENT

16. Presentation of Monthly Treasurer's Report for July, 1989.  
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

Councilmember McGrath excused at 4:37 p.m.

WRITTEN COMMUNICATIONS

18. Letter from Jo Vartanian, Property Manager of McHenry Village, regarding amendments to the sign regulations.

ACTION: By motion (Lang/Patterson, unan., McGrath absent) staff directed to prepare a Code text amendment to allow banners with a conditional use permit. (Planning to handle)

CONSENT

19. Letter from Merle Mensinger, Jr., resigning from the Downtown Improvement District Advisory Board.  
(Resolution accepting resignation with regret needed.)

ACTION: Res. 89-854 adopted accepting resignation. (Clerk to handle)

MISCELLANEOUS

Legislation

CONSENT

20. Staff recommends:

Support of:

- a. SB 1130 (C. Green) Vehicle Sound Amplification Systems
- b. AB 411 (Roybal-Allard) Hazardous Waste - Air Pollution

Opposition to:

- c. SB 1533 (L. Greene) General Plan Amendments - Adequacy of School Facilities

(Memos with agenda. Motion approving recommendations needed.)

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

MATTERS TOO LATE FOR THE AGENDA

21. (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/Irizarry, unan., McGrath absent) it was agreed that an emergency existed and this item needed to be discussed.

Res. 89-855 adopted (Irizarry/Sutton, unan., McGrath absent)  
requesting special assistance from the C.H.P. for Highway 132 from  
late August to mid-October 1989. (Manager to handle)

ADJOURNMENT

Meeting adjourned at 5:00 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 6:00 p.m., August 22, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present; Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Sutton, Mayor Whiteside

Absent; None

The meeting adjourned at 6:04 p.m. to closed session to consider evaluation of performance of public employees pursuant to Government Code Section 54957.

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 22, 1989, AT 7:30 P.M.

Roll Call - Present: Councilmembers Irizarry, Lang, McGrath, Muratore,  
Patterson, Sutton, Mayor Whiteside  
Councilmember Muratore arrived at 7:33 p.m.

Absent: None

Pledge of allegiance to the Flag

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

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 10, 11, 12, 13, 14,  
15, 16, 17, 18, 19, 20, 21, 22, 22A,  
23, 24

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.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

Donation from the McHenry Mansion Foundation of construction of sidewalks and irrigation for the I Street side of McHenry Mansion.  
(Memo with agenda. Motion accepting donation needed.)

ACTION: By motion (McGrath/Sutton, unan.) the donation was accepted and staff was directed to prepare a letter of appreciation to be sent to the Foundation. (Manager to handle)

MINUTES

CONSENT

2. Approval of the minutes of the special and regular City Council meetings of August 15, 1989.  
(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. Request by Sue Chaffee for further consideration of the Woodland Neighborhood park site.  
(Letter with agenda.)

ACTION: By motion (Lang/Irizarry, unan.) this item taken under advisement. (P/R to handle)

HEARINGS

Councilmember Muratore excused due to a conflict of interest.

5. Hearing regarding orders to construct - 11 residential alleys:

<u>Block</u>	<u>Streets</u>
5304	Clover Ln. - Bluegrass Ln./Fair Oaks Drive - Hillview Dr.
804a	Yale Ave. - Coldwell Ave./College Ave.
825	Purdue Ave. - Fordham Ave./Tully Road - Notre Dame Ave.
6146	Linwood Dr. - Silkwood Dr./Fernwood Dr. - Glenwood Dr.
6729	Monte Carlo Ave. - Monte Verde Ave./Bowen Ave. - Mt. Vernon Dr.
6139	Concord Ave. - College Ave./Granger Ave. - Woodman Way
6821	Bowen Ave. - Northwood Dr./Fremont Ave. - Sherwood Ave.
6822	Bowen Ave. - Northwood Dr./Sherwood Ave. - McHenry Ave.
12952	Sheffield Ln. - Windsor Ln./Rumble Rd. - Sunrise Ave.

ACTION: Res. 89-856 adopted (Lang/McGrath, unan., Muratore absent) ordering construction. (P/W to handle)

6042 Orangeburg Ave. - Oakwood Ave./Carver Rd. - Del Vale Ave.

ACTION: By motion (McGrath/Irizarry, unan., Muratore absent) this item held over to September 5, in order for staff to obtain further information (P/W to handle)

6822 Bowen Ave. - Northgate Dr./Kirkwood Ave. - McHenry Ave.

ACTION: By motion (Lang/McGrath, unan., Muratore absent) this item held over to September 5, in order for staff to obtain further information. (P/W to handle)

6. Hearing to consider an amendment to the General Plan Map to include an elementary school and park site in the Merle Neighborhood.

ACTION: Res. 89-857 adopted (McGrath/Sutton, unan.) amending the General Plan. (Planning to handle)

## BIDS

### CONSENT

7. Consider acceptance of Sancon Engineering's contract for repair and recoating of Digester No. 1 at the Water Quality Control Plant. Original contract: \$315,924.90  
(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 as complete needed. Final cost: \$350,278.66. Funds are budgeted.)

ACTION: Res. 89-858 adopted accepting as complete. (Clerk to handle)

### CONSENT

8. Consider waiving formal bids and issue purchase order to Cal Well Drilling for the construction of two water wells and purchase order to Hennings Brothers for construction of one water well.  
(Memo with agenda. Resolution waiving formal bid procedure and issuing purchase orders needed. (Five affirmative votes needed.) Estimated cost: \$165,000. Funds are budgeted.)

ACTION: Res. 89-859 adopted waiving formal bids & issuing purchase order to Cal Wall Drilling.  
Res. 89-860 adopted waiving formal bids & issuing purchase order to Hennings Brothers. (Finance to handle)

## NEW BUSINESS

9. Consider designating voting delegate and voting alternate for the annual League of California Cities conference.  
(Motion designating needed.)

ACTION: By motion (Lang/McGrath, unan.) Mayor Whiteside was designated as the voting delegate and Vice Mayor Irizarry was designated as voting alternate. (Clerk to handle)

### CONSENT

10. Report on the status of the City's utility billing system and request for authorization to enter into an agreement with a consultant, Theodore Wroblicky, to review alternative billing systems.  
(Report with agenda. Motion accepting report; resolution approving agreement; and resolution approving appropriation transfer to provide funding needed. Estimated cost: \$20,000.)

ACTION: By motion, report was accepted.  
Res. 89-861 adopted approving agreement.  
Res. 89-862 adopted approving appropriation transfer. (Finance to handle)

CONSENT

11. Consider authorizing the City Manager to sign an agreement with Recreation Systems, Inc., for the master plan for Johansen Community Park. (Memo with agenda. Resolution approving agreement needed. Estimated cost: \$9,900. Funds are budgeted.)

ACTION: Res. 89-863 adopted approving agreement. (P/R to handle)

CONSENT

12. Consider acceptance of improvements in Park Valley Homes No. 2 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Kaufman and Broad of Northern California.  
(All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Park Valley Homes No. 2 is located north of Whitmore Avenue between Ustick Road and Crows Landing Road. It contains 18.321 acres. Memo with agenda. Resolution accepting as complete needed.)

ACTION: Res. 89-864 adopted accepting as complete. (Clerk to handle)

CONSENT

13. Consider acceptance of improvements in Azevedo Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Subdividers: Denero-Saberton Development.  
(All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Azevedo Estates is located south of Hosmer Lane between Wilma Drive and Panama Drive. It contains 3.499 acres. Memo with agenda. Resolution accepting as complete needed.)

ACTION: Res. 89-865 adopted accepting as complete. (Clerk to handle)

CONSENT

14. Consider approval of the final map of Park Valley Homes No. 4 Subdivision of the City of Modesto and accepting the improvements. Subdividers: Kaufman and Broad of Northern California.  
(All improvements have been completed for the satisfaction of the Public Works and Transportation Department and all fees have been paid. Park Valley Homes No. 4 is located on the north side of Marin Avenue east of Guthrie Street. It contains 1.232 acres. Memo with agenda. Resolution approving final map and accepting as complete needed.)

ACTION: Res. 89-866 adopted accepting as complete. (Clerk to handle)

CONSENT

15. Consider approval of the final map of Briggs 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.  
Subdividers: P & R Enterprises.  
(The subdivision agreement has been signed and all fees paid. Briggs Gardens is located on the south side of Briggs Avenue east of Wheatley Avenue. It contains 3.0025 acres. Resolution approving final map needed.)

ACTION: Res. 89-867 adopted approving final map. (Clerk to handle)

CONSENT

16. Consider approval of the final map of Southgate 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: Collins-Rosson.  
(The subdivision agreement has been signed and all fees paid. Southgate is located on the northwest corner of Rouse Avenue and Luck Drive. It contains 2.07 acres. Resolution approving final map needed.)

ACTION: Res. 89-868 adopted approving final map. (Clerk to handle)

CONSENT

17. Consider the following actions with respect to Improvement District No. 28 - Installation of Sanitary Sewer Mains:
- a. Resolution of preliminary determination and intention to make acquisitions and improvements.
  - b. Resolution preliminarily approving engineer's report, appointing time and place of hearing protests.
  - c. Resolution approving plans and specifications and call for bids. (Suggested bid opening date: September 21, 1989, at 11:00 a.m.)
  - d. Resolution approving agreement with Jones, Hall, Hill and White for legal services and authorizing execution thereof.

(Memo with agenda. Four resolutions needed.)

ACTION: Res. 89-869 adopting preliminary determination and intention.  
Res. 89-870 adopting preliminary engineer's report and setting time and place for hearing protests.  
Res. 89-871 adopted approving plans and specs and calling for bids.  
Res. 89-872 adopted approving agreement.  
(P/H to handle)

CONSENT

18. Consider authorizing City Manager to sign agreement with Stanislaus County for plan checking and inspection responsibilities for the Johansen High School.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-873 adopted approving agreement. (P/W to handle)

CONSENT

19. Consider restating terms of office and procedures for Rehabilitation Loan Pool Subcommittee (RLPS) and superseding Res. No. 87-1206.  
(Memo with agenda. Citizens Housing and Community Development Committee recommends adding two alternate seats to RLPS, one from CH&CDC and one from Housing Authority of Stanislaus County.  
(Memo with agenda. Resolution adding two alternate seats to RLPS needed.)

ACTION: Res. 89-874 adopted restating terms of office and procedures and adding two alternate seats. (Planning to handle)

CONSENT

20. The City Charter requires the City Manager to submit an annual report to the City Council on "Administrative Activities" at the completion of each fiscal year.  
(1988-89 City Manager's Administrative Activities Report with agenda.  
Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

21. Consider approval of the application for a federal grant for porous friction coat for runway 28R/10L with marking and striping at the Modesto City-County Airport.  
(Memo with agenda. Resolution approving grant application needed.  
Estimated cost: \$225,000 (FAA \$202,500; City/County \$22,500).

ACTION: Res. 89-875 adopted approving grant application. (P/W to handle)

CONSENT

22. Consider authorizing City participation in Special Events Insurance coverage with Scottsdale Insurance Co./Fred S. James & Company.  
(Memo with agenda. Resolution authorizing participation needed.  
Estimated cost for one-year policy: \$2,677.50. Funds are budgeted.)

ACTION: Res. 89-876 adopted authorizing participation in insurance coverage. (Attorney to handle)

CONSENT

22A. Consider approval of the final map of Eastgate 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: Warner M. Soelling  
(The subdivision agreement has been signed and all fees paid. Eastgate is located at the south of Briggsmore Avenue, west of Oakdale Road. It contains 9.46 acres. Resolution approving final map needed.)

ACTION: Res. 89-877 adopted approving final map. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

23. Letter from Nancy Komjathy-Salyer resigning from the Local Cable Programming Committee.  
(Resolution accepting resignation with regret needed.)

ACTION: Res. 89-878 adopted accepting resignation. (Clerk to handle)

MISCELLANEOUS

Legislation

CONSENT

24. Staff recommends supporting the following:

- a. SB 1160 (Robbins) - Mandatory Motor Vehicle Insurance - Vehicle Registration
- b. SB 1221 (Hart) - 2020 Recycling Program - Increased Redemption
- c. AB 1305 (Killea) - Recycling - Market Development
- d. AB 1308 (Killea) - Tax Credits for Recycling

(Memos with agenda. Motion accepting recommendations needed.)

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

25.

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 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 convened in a special session at 9:10 p.m., August 22, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Sutton, Mayor Whiteside

Absent: None

The meeting adjourned at 9:10 p.m. to closed session to consider pending litigation concerning City of Modesto vs. Lang's Enterprises, et al, pursuant to Government Code Section 54956.9(a). Councilmember McGrath was excused due to a conflict of interest.

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 5, 1989, AT 4:00 P.M.

Roll Call - Present: Councilmembers Irizarry, Lang, McGrath, Muratore,  
Patterson, Sutton, Mayor Whiteside  
Councilmember Patterson arrived at 4:04 p.m.

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, 7, 8, 9, 10, 11, 12, 13,  
14, 15, 16, 17, 19, 20, 22, 23, 24,  
25, 26, 27, 28, 29, 30, 31, 32, 33,  
35, 36, 37, 38, 39, 40,

Removed from consent - 19

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.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the two special City Council meetings and the regular meeting of August 22, 1989.  
(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.)

Joe Byrne spoke regarding a proposed Hispanic Veteran's Day and desecration of the flag.

UNFINISHED BUSINESS

4. Report on receipt of written bids for sale of a surplus house to be moved, and oral bidding for the sale of the house as required by specifications and Notice to Bidders approved by Council on August 1, 1989.  
(Memo with agenda. Resolution awarding bid needed.)

ACTION: Res. 89-879 adopted (Patterson/McGrath, unan.) awarding bid to Garrad Marsh for property at 2845 Lincoln Ave. (Attorney to handle)

CONSENT

5. Report on request for financial assistance from United States Academy of Elite Gymnastics Booster Club.  
(Memo with agenda. Resolution denying request needed.)

ACTION: Res. 89-880 adopted denying request. (Finance to handle)

HEARINGS

6. Hearing regarding orders to construct - 11 residential alleys:  
Councilmember Muratore excused due to a conflict of interest.

Block

Streets

6042 Orangeburg Ave. - Oakwood Ave./Carver Rd. - DeI Vale Ave.

ACTION: Res. 89-881 adopted (McGrath/Patterson, unan., Muratore absent)  
ordering to construct.

6822 Bowen Ave. - Northgate Dr./Kirkwood Ave. - McHenry Ave.

ACTION: Res. 89-882 adopted (McGrath/Sutton, unan., Muratore absent)  
ordering to construct. (P/W to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for water and sewer line relocation at N. Madison Avenue and Linden Street. (Suggested bid opening: September 28, 1989, at 11:10 a.m. The water and sewer lines in this area of town are old and deteriorating and in need of replacement. New development in the area requires relocation of these utility lines. This project will replace and relocate the existing lines to accommodate the new development. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$124,175. (Contract - \$112,887; eng. & cont. - \$11,288). Funds are budgeted.)

ACTION: Res. 89-883 adopted calling for bids. (P/W to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for water line extension on Marin, Ustick, and Whitmore Avenues. (Suggested bid opening: September 28, 1989, at 11:00 a.m. The water line extension will provide water service to the California Chardonnay Subdivision in the south part of Modesto. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$150,308. (Contract - \$136,644; eng. & cont. - \$13,664). Funds are budgeted.)

ACTION: Res. 89-884 adopted calling for bids. (P/W to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for water line extension across Highway 99 Freeway bridge.  
(Suggested bid opening: September 28, 1989, at 11:05 a.m. This is the first phase of a project to connect the water system on the south side of the Tuolumne River to the system on the north side. This project is needed due to a decreasing water table and water quality in the area south of the river. The water line starts on Tuolumne Blvd. at Calaveras, goes west to the 99 Freeway, across the 99 Freeway bridge, and then extends south on Zeff Road about 2000 feet to Well No. 29. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$506,112. (Contract - \$421,760; eng. & cont. - \$84,352). Funds are budgeted.)

ACTION: Res. 89-885 adopted calling for bids. (P/W to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for traffic signal modifications at Standiford at Sisk and Standiford at Dale.  
(Suggested bid opening: September 21, 1989, at 11:05 a.m. Memo with agenda. This project will replace signal controllers that are no longer appropriate for current traffic demands and will provide protected left-turn phases on Sisk at Standiford. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$100,000. (City - \$80,000; Developer - \$20,000). Funds will be requested after the bid opening when a more accurate estimate of City participation can be made.)

ACTION: Res. 89-886 adopted calling for bids. (P/W to handle)

CONSENT

11. Consider approving specifications and call for furnishing landscaping maintenance service, and amending the fiscal year 1989-90 budget.  
(Suggested bid opening: October 2, 1989, at 11:00 a.m. Memo with agenda. Resolution approving specifications and calling for bids and resolution amending 1989-90 budget needed. Estimated cost: \$60,860. Funds are partially budgeted.)

ACTION: Res. 89-887 adopted calling for bids.  
Res. 89-888 adopted amending budget. (Finance to handle)

CONSENT

12. Consider approving specifications and call for furnishing replacement parts for street sweeper.  
(Suggested bid opening: October 2, 1989, at 11:05 a.m. Requested by Public Works and Transportation Department, three street sweeper is one of seven used for keeping City streets clean. Resolution approving specifications and calling for bids needed. Estimated cost: \$6,000. Funds are budgeted.)

ACTION: Res. 89-889 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider award of contract for the extension of water lines on Rouse Avenue, Creekwood Drive, Glenn Avenue, Semallon Avenue and Claus Road to Joe Martin Pipeline, Inc.  
(Bids were opened August 15, 1989. The low bid of \$111,037.50, submitted by Joe Martin Pipeline, Inc., is 3.07% below the engineer's estimate and considered acceptable. It is therefore recommended that the contract be awarded to him. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 89-890 adopted awarding contract. (P/W to handle)

CONSENT

14. Consider award of contract for the 1989 cape seals to Don Milner, Inc. (This project represents the second year the rehabilitation treatment called cape seal will be applied to City streets. The non-structural treatment is expected to have a 10-year service life. Bids were opened August 15, 1989. The low bid of \$241,064.12, submitted by Don Milner, Inc., is 15.79% below the engineer's estimate and considered acceptable. Memo and bid tabulation with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 89-891 adopted awarding contract. (P/W to handle)

CONSENT

15. Consider award of contract for the chip sealing of the 9th Street bridge to Don Milner, Inc.  
(Bids were opened August 15, 1989. The low bid of \$75,607.50 is 36.24% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to him. Memo and bid tabulation with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 89-892 adopted awarding contract. (P/W to handle)

CONSENT

16. Consider acceptance of Howell Construction's contract for the Modesto Centre Plaza handicap modifications. Original contract: \$14,547.  
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$15,066. Funds are budgeted.)

ACTION: Res. 89-893 adopted accepting as complete. (P/W to handle)

CONSENT

17. Consider acceptance of Morrow & Waggoner, Inc.'s, contract for the resurfacing of Revard Park basketball court. Original contract: \$19,800. (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: \$19,800. Funds are budgeted.)

ACTION: Res. 89-894 adopted accepting as complete. (P/W to handle)

18. Consider acceptance of Homer J. Olsen, Inc.'s contract for construction of the Water Quality Control Plant Expansion, Units 2 and 3 project. Original contract: \$35,920,600. (All work of construction on the project has been completed to the satisfaction of the State Water Resources Control Board and the Public Works and Transportation Department. Therefore, it is in order to accept the work as complete and file the Notice of Completion. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$37,510,098.64. Funds are budgeted.)

ACTION: Res. 89-895 adopted (Lang/Muratore, unan.) accepting as complete. (P/W to handle)

19. Consider waiving formal bid procedures and authorize the purchase and installation of an air conditioning motor from American Chiller Service Co. for the Centre Plaza for the total cost of \$29,097. (Memo with agenda. Resolution waiving formal bid procedure and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)  
Councilmember McGrath excused due to a conflict of interest.

ACTION: Res. 89-896 adopted (Lang/Patterson, unan., McGrath absent) waiving formal bid procedures. (Finance to handle)

CONSENT

20. Consider waiving formal bid procedures and authorize payment to Hi-Tech Emergency Vehicle Service for fire engine repair service for the total cost of \$20,824. (Memo with agenda. Resolution waiving formal bid procedure and authorizing payment needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-897 adopted waiving formal bid procedure. (Finance to handle)

NEW BUSINESS

21. Consider designating a voting delegate and two alternate voting delegates for the National League of Cities' 1989 Congress of Cities, November 25-29, 1989.  
(Motion designating delegates needed.)

ACTION: By motion (Patterson/Muratore, unan.) designated Mayor and Vice Mayor.

(Clerk to handle)

CONSENT

22. Consider entering into an agreement with the California Department of Motor Vehicles relating to certificates of training and authorizing the City Manager to enter into similar agreements with the Department of Motor Vehicles hereafter on an annual basis.  
(Memo with agenda. Resolution approving this agreement and authorizing City Manager to enter into a similar agreement on an annual basis needed.)

ACTION: Res. 89-898 adopted approving agreement. (Fire to handle)

CONSENT

23. Consider approving amendment to agreement and third amendment to agreement with James E and Susann A. Coleman for the lease of Dry Creek Park property.  
(Memo with agenda. Two resolutions approving agreements needed.)

ACTION: Res. 89-899 adopted approving amended agreement regarding lease of a portion of former Hubert Scott house.  
Res. 89-900 adopted approving amended agreement regarding lease of former Hubert Scott property and Bomberger property in Dry Creek Park.

(Attorney to handle)

CONSENT

24. Consider approving agreement with Hailwood, Inc., for continued use of a portion of the Hailwood Ranch and operation of the City's wastewater irrigation system.  
(Memo with agenda. Resolution approving agreement needed)

ACTION: Res. 89-901 adopted approving agreement. (P/W to handle)

CONSENT

25. Consider joining in amicus curiae brief in the case of La Quinta Dunes, a California limited partnership, et al vs. City of La Quinta, etc., et al.  
(Memo with agenda. Motion authorizing joining in the amicus curiae brief needed.)

ACTION: By motion, authorized joining in amicus curiae brief.  
(Attorney to handle)

CONSENT

26. Consider request for water service to property outside City limits at 3833 Oakdale Road, located on the east side of Oakdale Road between Floyd and Sylvan Avenues. Owners: Mary Shirlene Robinson and Georgia P. Chapman.  
(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. 89-902 adopted approving agreement. (P/W to handle)

CONSENT

27. Consider approval of the final map of Naraghi Lakes No. 8 Subdivision of the City of Modesto and accepting the improvements. Subdivider: U. S. By-Products and Hasham Naraghi.  
(All improvements have been completed to the satisfaction of the Public Works and Transportation Department and all fees have been paid. Naraghi Lakes No. 8 is located at the southwest corner of Sylvan Avenue and Hashem Drive. It contains 17.685 acres. Memo with agenda. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 89-903 adopted approving final map. (P/W to handle)

CONSENT

28. Consider accepting \$422,000 in funding under the California Coastal, Wildlife and Park Land Conservation Bond Act of 1988, Per Capita Program, for the Phase I development of Floyd #2 Neighborhood Park and authorizing the City Manager to sign the project agreement, and amending the 1989-90 budget to show a decrease in revenue.  
(Memo with agenda. Resolution accepting grant and authorizing City Manager to sign, and resolution amending 1989-90 budget needed. Estimated cost: \$491,000. Funds are budgeted.)

ACTION: Res. 89-904 adopted accepting grant.  
Res. 89-905 adopted amending budget. (P/R to handle)

CONSENT

29. Consider authorizing the City Manager to sign a grant application for \$64,625 in funding under the California Wildlife Coastal and Park Land Conservation Bond Act of 1988, Trails Grant Program, for the Dry Creek Trail Project.  
(Memo with agenda. Resolution authorizing City Manager to sign application needed.)

ACTION: Res. 89-906 adopted approving grant application. (P/R to handle)

CONSENT

30. Consider authorizing the City Manager to sign an agreement with Recreation Systems, Inc., for the development of a Master Plan for the McClure Country Place.  
(Memo with agenda. Resolution authorizing City Manager to sign agreement needed. Estimated cost: \$7,100. Funds are budgeted.)

ACTION: Res. 89-907 adopted approving agreement. (P/R to handle)

CONSENT

31. Consider authorizing City Manager to sign agreement with Caltrans for the relocation of an 8" waterline in State Highway 132.  
(The relocation of the waterline will be at City expense. Estimated cost is \$78,500. The work will be performed by Caltrans' contractor. Memo and bid tabulation with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 89-908 adopted approving agreement. (P/W to handle)

CONSENT

32. Consider authorizing staff to negotiate with Pacific Design Associations, Inc., for architectural services for a new clubhouse at the new Modesto 18-hole golf course.  
(Preliminary studies indicate it would be cost effective to construct a new clubhouse versus remodeling the existing residence on site. Architectural services are needed. Memo with agenda. Motion authorizing negotiations needed.)

ACTION: By motion, staff authorized to negotiate for architectural services. (P/R to handle)

CONSENT

33. Consider an amendment to the agreement with Kennedy/Jenks/Chilton Engineers on the Wastewater Treatment Plant expansion project.  
(An adjustment in overhead costs is due and payable to the engineers based upon actual overhead rates determined by audit. Memo with agenda. Resolution approving amendment to agreement needed. Estimated cost: \$200,512.65. Funds are budgeted.)

ACTION: Res. 89-909 adopted approving amended agreement. (P/W to handle)

34. Consider approving a Downtown Parking District for Assessment District Financing and directing staff to take the necessary steps leading to assessment proceedings.  
(Memo with agenda. Motion approving additional Downtown Parking Facilities being financed using assessment proceedings.)

ACTION: By motion (Sutton/Muratore, unan.) approving additional downtown parking facilities being financed using assessment proceedings. (P/W to handle)

CONSENT

35. Consider approving amendment to agreement between Hendley-Sky Trek Aviation Fuel, Inc., and the City of Modesto and authorizing the City Manager to sign the amendment.  
(Resolution approving amendment to agreement needed.)

ACTION: Res. 89-910 adopted approving amended agreement. (P/W to handle)

CONSENT

36. Consider supporting "The Great Cover-Up" - a day when volunteer citizens, members of the Council and Senator Dan McCorquodale will paint over graffiti in Modesto.  
(Memo with agenda. Estimated cost: \$500. Resolution supporting needed. Funds are budgeted.)

ACTION: Res. 89-911 adopted supporting. (Manager to handle)

CONSENT

37. Consider introduction of an ordinance prohibiting the delivery of unsolicited newspaper-like advertising circulars to residences where the owner or occupant has indicated that he or she does not desire to receive such material.  
(Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2679-C.S. introduced. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

38. Letter from Richard Hagerty, Resource Development, appealing a staff decision concerning a requirement of a new street along the Coffee Road frontage of the Willow Grove Condo project at the southeast corner of Coffee and Sylvan.  
(Resolution setting hearing September 19, 1989, needed.)

ACTION: By motion, this matter put on the September 12, 1989 Council meeting for discussion. (Clerk to handle)

CONSENT

39. Letter from Joyce L. Carrillo resigning from the Board of Zoning Adjustment.  
(Resolution accepting with regret needed.)

ACTION: Res. 89-912 adopted accepting resignation. (Clerk to handle)

CONSENT

40. Letter from David L. Blevins requesting permission to file a late claim.  
(Resolution approving request to file late claim needed.)

ACTION: Res. 89-913 adopted approving request to file late claim. (Attorney to handle)

41. Letter from Solange Goncalves, Coordinator, Save Our Scenic Coalition, requesting adoption of a resolution urging the Stanislaus County Board of Supervisors to keep Scenic General Hospital open, publicly operated and fully staffed and funded.

ACTION: Res. 89-914 adopted (McGrath/Sutton, unan.) supporting health care services at Scenic General Hospital.

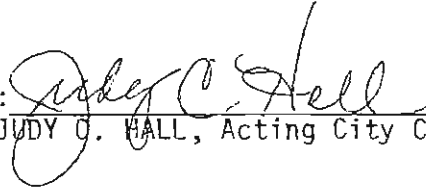
MATTERS TOO LATE FOR THE AGENDA

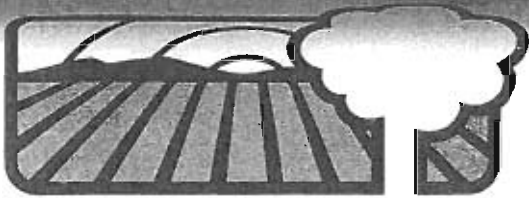
42. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 5:10 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 7:30 p.m., September 11, 1989, in the Pistache-Ginko Room, Modesto Centre Plaza, Modesto, California, for a joint meeting with the Modesto Irrigation District Board.

Present: Councilmembers Irizarry, Lang, Muratore, Patterson, Sutton, Mayor Whiteside

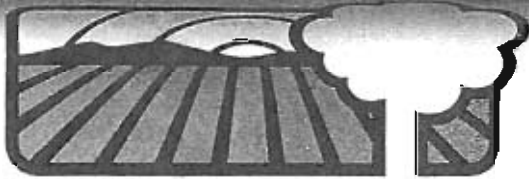
Absent: Councilmember McGrath

Mayor Whiteside and Board Chairman opened the meeting.

Representatives of James M. Montgomery, Consulting Engineers, URS Consultants, and the Modesto Irrigation District staff made presentations and reports on the status of the Modesto Surface Water Treatment Study.

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 a special session at 6:00 p.m., September 12, 1989, in the Fourth Floor Conference Room, City Hall, Modesto, California, for a study session concerning the E.P.A. and sewer trunk extensions.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Sutton

Absent: Mayor Whiteside


The meeting was opened by Vice Mayor Irizarry. Garth Lipsky, Bill Nichols, Ed Walker and Mike Gilton brought the Council up to date on the status of sewer trunk extensions and discussions with E.P.A.

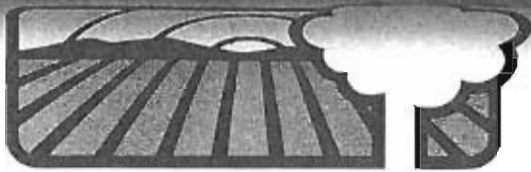
Councilmembers felt that it is more important to develop the business and industrial land in the north than the residential area on the east side because of the need for jobs for people living in Modesto.

It was suggested that the Public Projects Committee look at the possibility of doing a new E.I.S. and make a recommendation to the City Council.

Meeting adjourned at 7:27 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, SEPTEMBER 12, 1989, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 8, 9, 10, 11, 12,  
14, 15, 17

Removed from consent: 13

ACTION: (Sutton/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.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

## MINUTES

### CONSENT

2. Approval of the minutes of the regular City Council meeting of September 5, 1989.  
(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. Discussion of letter from Richard Hagerty, Resource Development, regarding a new street along the Coffee Road frontage of the Willow Grove Condo project at the southeast corner of Coffee and Sylvan.  
(This item was placed on this agenda by motion at the September 5, 1989, City Council meeting.)

Dropped from agenda.

## HEARINGS

5. Hearing to consider the proposed vacation and abandonment of a portion of Achor Court west of McHenry Avenue.

ACTION: Res. 89-915 adopted (Muratore/Lang, unan.) vacating and abandoning a portion of Achor Court. (PW&T to handle)

6. Hearing to consider the proposed amendment to Section 21-3-9 of the Zoning Map to rezone from R-1 to P-D(465) for two-story single-family units property located on the north side of Fairmont Avenue and west of M.I.D. Lateral No. 4. (Mike Fant)

ACTION: By motion, Ordinance 2680-C.S. introduced (Irizarry/Sutton, unan.) amending the Zoning Map.  
Res. 89-916 adopted (Irizarry/Sutton, unan.) approving the development plan.  
Res. 89-917 adopted (Irizarry/Sutton, unan.) certifying review of the environmental assessment.

(Clerk/Planning to handle)

7. Hearing to consider updating green fees and conditions of play at Dryden and Muni Golf Courses.  
(The hearing is to be continued to the Council meeting of September 26, 1989, at 7:30 p.m.)

ACTION: By motion (Lang/Irizarry, unan.) this item was continued to September 26, 1989, at 7:30 p.m.

### BIDS

#### CONSENT

8. Consider approval of plans and specifications and new call for bids for the construction of the Modesto Verde block wall.  
(Suggested bid opening: September 28, 1989, at 11:15 a.m. Bids were opened August 22, 1989, and no bids were received. Staff has contacted several prospective bidders inquiring as to their interest in bidding the project if it were re-bid. Staff feels that if the project were re-bid, acceptable bids would be received. Minor revisions have been made to the specifications that will allow an alternate wall system, thus encouraging a wider variety of contractors to be able to submit bids. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$72,000 (contract \$67,275; eng. & cont. \$4,725). Funds are budgeted.)

ACTION: Res. 89-918 adopted calling for bids. (PW&T to handle)

#### CONSENT

9. Consider approval of plans and specifications and call for bids for the construction of Mellis Park shade structure.  
(Suggested bid opening: October 5, 1989, at 11:00 a.m. Mellis Park is located at the northwest corner of California Avenue and Martin Luther King Drive. This project consists of the construction of a picnic area including installation of picnic tables, barbecue pits and shade structure. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$63,144.20 (contract \$54,908; eng. & cont. \$8,236.20). Funds are budgeted.)

ACTION: Res. 89-919 adopted calling for bids. (PW&&T to handle)

#### CONSENT

10. Consider award of contract for the Mancini Bowl bleacher replacement to Scrimsher & Mineni Construction.  
(The purpose of this project is to replace existing seating which has been damaged beyond repair. Bids were opened August 29, 1989. The low bid of \$112,996.24, submitted by Scrimsher & Mineni Construction is 34.66% below the engineer's estimate and considered acceptable. Memo and bid tabulation with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 89-920 adopted awarding bid. (PW&T to handle)

CONSENT

11. Consider award of contract for the Mancini Bowl bleacher removal and concrete repair to Scrimsher & Mineni Construction.  
(This project represents the removal of the existing seating and repair of concrete in preparation for the installation of new stadium and bleacher seating at Mancini Bowl in Graceada Park. Bids were opened August 29, 1989. The low bid of \$17,500, submitted by Scrimsher & Mineni Construction is 17.26% below the engineer's estimate and considered acceptable. Memo and bid tabulation with agenda. Resolution awarding contract to Scrimsher and Mineni needed. Funds are budgeted.)

ACTION: Res. 89-921 adopted awarding bid. (PW&T to handle)

NEW BUSINESS

CONSENT

12. Consider amending the Master Plan of the McHenry Mansion to reflect changes in the usage of the second floor.  
(Memo with agenda. Resolution amending Master Plan needed.)

ACTION: Res. 89-922 adopted amending Master Plan. (P & R to handle)

13. Consider approving agreement to provide sewer service to Fleur de Ville subdivision, located outside the ultimate sewer service area at the northwest corner of Pelandale Avenue and Dale Road. (Owners: Rule Enterprises, Inc.)  
(The property is contiguous with the City limits. Rule Enterprises, Inc. has signed an agreement to annex when requested to do so by City. In addition, the agreement provides for the construction of a sewer lift station to be deeded to the City and for additional sewer fees to be paid by Rule Enterprises, Inc. prior to connection to the City sewer system. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-923 adopted (Irizarry/Sutton, unan.) approving agreement, and staff was directed to take steps toward annexing the area to the City.  
(PW&T/Planning to handle)

CONSENT

14. Consider authorizing an appropriation transfer of \$12,000 for relocation of Risk Management and Building Inspectors.  
(Memo with agenda. Resolution authorizing appropriation transfer needed.)

ACTION: Res. 89-924 adopted authorizing appropriation transfer.  
(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

15. Appeal of Russell A. Harrison to a Planning Commission decision concerning an application of Terry Carson to rezone from R-1 to P-D, property located on the north side of Woodland Avenue at Shasta Avenue and a vesting tentative subdivision map of Woodland Woods.  
(Resolution setting hearing September 26, 1989, at 7:30 p.m. needed.)

ACTION: Res. 89-925 adopted setting hearing. (Clerk to handle)

16. Letter from Elmwood Avenue Neighbors requesting assistance due to the location of the adult bookstore and increased traffic and noise in the neighborhood.

ACTION: By Order of the Chair, staff directed to increase Police enforcement through the use of overtime, look at ways to decrease cruising, closure of the street, and any other things that might help solve the problems, and report back to Council in two weeks if possible.

(Police/Plan. to handle)

MISCELLANEOUS

Legislation

CONSENT

17. Staff recommends:

Support

- a. SB 532 (Torres, Boatwright) Attorney General - Civil Rights Laws
- b. SB 1357 (Torres) Torres Omnibus California Schools Hate Violence Reduction Act of 1989
- c. SB 1358 (Torres) Postsecondary Educational Institutions
- d. SB 1057 (Davis) LAFCO - Revising Procedures and Standards for Incorporations
- e. SB 1225 (Boatwright) Land Use - Sphere of Influence
- f. SB 88 (Garamendi) Gann Appropriations Limit

Oppose

g. SB 1288 (Seymour) Restriction on Imposition of Developer Fees

h. AB 2060 (Costa) Development Fees

i. AB 2236 (Costa) State to Withhold Housing Funds

(Memos with agenda. Motion accepting 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 arose subsequent to the publishing of this agenda.)

ACTION: By motion (Irizarry/Muratore, unan.) it was determined that the need to take action arose after the 72-hour agenda deadline.

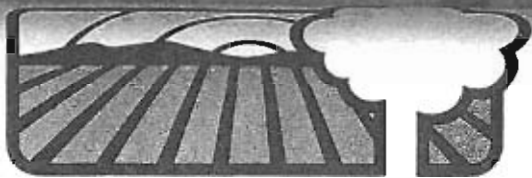
By motion (Patterson/Muratore, unan.) certain surety requirements of Hendley-Skytrek fuel farm lease agreement temporarily suspended.

(PW&T to handle)

ADJOURNMENT

The meeting adjourned at 9:25 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, SEPTEMBER 19, 1989, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 7, 8, 9, 10, 11, 12,  
14, 16, 17, 18, 19, 20, 21, 23

Removed from consent: 1b

ACTION: (Lang/Muratore, unan.)

CONSENT ITEMS - ROLL CALL VOATE REQUIRED: Item 5  
Councilmember McGrath to be excused due to a conflict of interest.

ACTION: (Sutton/Muratore, unan., McGrath 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

- a. Introduction of Cub Scout Pack 11 members.

Mayor Whiteside introduced the Cub Scout Pack members.

- b. Acceptance of gift of \$10,000 from the estate of Fernanda Iola Taylor.  
(Memo with agenda. Resolution accepting gift needed.)

ACTION: Res. 89-926 adopted (McGrath/Sutton, unan.) accepting the gift.

- c. City Attorney Yamamoto introduced newly-hired Tom Quinllen, Deputy City Attorney.

MINUTES

CONSENT

2. Approval of the minutes of the special City Council meeting on September 11, 1989, and the special and regular meetings of the City Council on September 12, 1989.  
(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 Ordinance No. 2679-C.S. amending the Modesto Municipal Code section relating to throwing or distributing unsolicited printed matter on private property.  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2679-C.S. adopted. (Clerk to handle)

CONSENT COUNCILMEMBER McGRATH TO BE EXCUSED DUE TO A CONFLICT OF INTEREST

5. Final adoption of Ordinance No. 2680-C.S. amending the Zoning Map to rezone from R-1 to P-D(465), property on the north side of Fairmont Avenue west of M.I.D. Lateral No. 4. (Mike Fant)

ACTION: By motion, Ord. No. 2680-C.S. adopted. (Clerk to handle)

HEARINGS

6. Hearing to consider amendment to P-D(419) to allow commercial development with C-1 Zone uses on the west portion and office development with P-0 Zone uses on the east portion of property located on the south side of Standiford Avenue, east of Prescott Road. (Resource Development)  
Councilmember McGrath excused due to a potential conflict of interest. ✓

ACTION: By motion (Sutton/Muratore, unan., McGrath absent) Ord. No. 2681-C.S. introduced.  
Res. 89-927 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

7. Consider approving plans and specifications and call for bids for the water line extension on Sisk and Pelandale.  
(Suggested bid opening: October 12, 1989, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$67,656 (contract - \$56,380; eng. & cont. - \$11,276).  
Appropriation transfer to be requested later.)

ACTION: Res. 89-928 adopted calling for bids. (P/W to handle)

CONSENT

8. Consider approving specifications and call for bids for furnishing polyethylene tree pots.  
(Suggested bid opening: October 9, 1989, at 11:05 a.m. Requested by the Parks and Recreation Department, the 15-gallon size tree pots (3,000 each) are needed for the nurturing, storing, and transportation of trees from the City nursery for the tree program. Resolution approving specifications and call for bids needed. Estimated cost: \$7,000. Funds are budgeted.)

ACTION: Res. 89-929 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider approving specifications and call for bids for furnishing Douglas fir pressure treated tree stakes.  
(Suggested bid opening: October 9, 1989, at 11:00 a.m. Requested by the Parks and Recreation Department, the tree stakes (6,076 each) are needed to support trees at the City nursery during replanting. Resolution approving specifications and call for bids needed. Estimated cost: \$7,700. Funds are budgeted.)

ACTION: Res. 89-930 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider approving specifications and call for bids for furnishing fill dirt.  
(Suggested bid opening: October 9, 1989, at 11:15 a.m. Requested by the Parks and Recreation Department, the fill dirt (650 yards) is needed to fill holes throughout the park system and for renovation of game fields. Resolution approving specifications and call for bids needed. Estimated cost: \$7,000. Funds are budgeted.)

ACTION: Res. 89-931 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider approving specifications and call for bids for furnishing traffic signal repair parts.  
(Suggested bid opening: October 9, 1989, at 11:10 a.m. Requested by the Public Works and Transportation Department, the parts are needed to insure continued operation of the traffic signal lights throughout the City. Resolution approving specifications and call for bids needed. Estimated cost: \$10,000. Funds are budgeted.)

ACTION: Res. 89-932 adopted calling for bids. (Finance to handle)

CONSENT

12. Consider award of contract for the 1989 Residential Alley Paving Project No. 15 to George Reed, Inc.  
(Bids were opened September 7, 1989. The low bid of \$138,888, submitted by George Reed, Inc., is 0.88% below the engineer's estimate and considered acceptable. Memo and bid tabulation with agenda. Resolution awarding contract to George Reed, Inc., needed. Funds are budgeted.)

ACTION: Res. 89-933 adopted awarding contract. (P/W to handle)

NEW BUSINESS

13. Annual report submitted by International Friendship Committee for the 1988-89 fiscal year.  
(Report with agenda. Motion acknowledging receipt of report needed.)

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

CONSENT

14. Consider revising 1987 wastewater permit violation fines for industrial users.  
(Memo with agenda. Resolution adopting wastewater permit violations fines needed.)

ACTION: Res. 89-934 adopted adopting wastewater permit violation fines.  
(P/W to handle)

15. Consider declaring newspaper recycling receptacles a public nuisance and ban their operation through amendments to Title 5 of the Modesto Municipal Code, as recommended by the Citizens' Advisory Committee on Recycling.

(Memo with agenda. Motion introducing an ordinance amending the Modesto Municipal Code to ban newspaper recycling bins needed.)

ACTION: A motion (Irizarry/McGrath, majority, Lang, Muratore, Sutton-no) to delay this item one week was reconsidered and by motion (Muratore/Lang, unan.) it was decided to proceed with this item.

By motion (Patterson/McGrath, unan.) an ordinance that had been introduced (McGrath/Sutton, majority, Irizarry-no) banning newspaper bins except for those owned by a religious organization or public agency was reconsidered.

By motion (McGrath/Muratore, unan.), Ord. No. 2682-C.S. was introduced banning newspaper bins except for those owned by a religious or non-profit organization or public agency.

(Clerk to handle)

CONSENT

16. Consider authorizing the City Manager to sign an application for \$52,614 in funding under the State of California Roberti-Z'berg-Harris Open Space and Recreation Program for the constructions of a restroom/utility building and shade structure at Wesson Ranch Neighborhood Park. (Memo with agenda. Resolution approving application needed.)

ACTION: Res. 89-935 adopted approving application. (P/R to handle)

CONSENT

17. Consider approving reimbursement agreement with Kaufman and Broad for installation of a 10-inch water main. (California Chardonnay subdivision is located on Whitmore and Ustick Avenues. The developer has requested permission to install City's water main in order to reduce time delays. An agreement is needed to allow reimbursement for construction costs. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$29,973. Funds are budgeted.)

ACTION: Res. 89-936 adopted approving agreement. (P/W to handle)

CONSENT

18. Consider abandonment of a portion of a 13-foot public utility easement in the Cobblestone Subdivision of the City of Modesto. (Memo with agenda. Resolution vacating and abandoning a portion of the public utility easement needed.)

ACTION: Res. 89-937 adopted abandoning portion of easement. (P/W to handle)

CONSENT

19. Presentation of monthly Treasurer's Report for August, 1989.  
(Copy of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

20. Consider designation of Municipal Resource Consultants as Authorized Consultant for Sales Tax and Use Tax.  
(Memo with agenda. Resolution designating consultant needed.)

ACTION: Res. 89-938 adopted designating consultant. (Finance to handle)

CONSENT

21. Consider request for water service to property outside City limits at 2524 Kansas Avenue, located on the south side of Kansas Avenue between Carpenter Road and Rosemore Avenue. Owner: State of California.  
(The property owner has 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. 89-939 adopted approving agreement. (P/W to handle)

WRITTEN COMMUNICATIONS

22. Letter from Richard Hagerty, Resource Development, regarding a new street along the Coffee Road frontage of the Willow Grove Condo project at the southeast corner of Coffee and Sylvan.  
Councilmember McGrath excused due to a potential conflict of interest.

ACTION: By motion (Lang/Muratore, unan.) staff recommendation as amended approved with a bond to be required. (P/W to handle)

CONSENT

23. Application by Don Lundberg for direct City assistance with the annual United Nations Day celebration.  
(Custodial assistance is requested for setting up chairs and equipment in the City Hall courtyard. Motion referring to staff needed.)

ACTION: By motion, request referred to staff. (P/W to handle)

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.)

ACTION: By motion (McGrath/Irizarry, unan.) it was determined that the need to take action on this item arose after the agenda was prepared.

Res. 89-940 adopted (Patterson/McGrath, unan.) welcoming former San Antonio Mayor Henry Cisneros to Modesto. (Manager to handle)

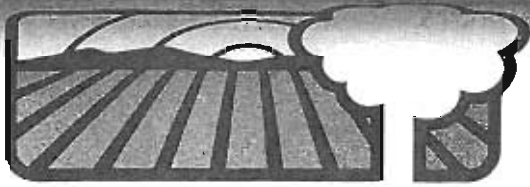
CLOSED SESSION

25. Closed session to discuss a personnel matter pursuant to Government Code Section 54957.6.

ADJOURNMENT

The meeting adjourned to closed session at 5:55 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, SEPTEMBER 26, 1989, AT 7:30 P.M.

Roll Call - Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Mayor Whiteside  
Councilmember Patterson arrived at 10:40 p.m.  
Mayor Whiteside arrived at 7:37 p.m.

Absent: Councilmember Sutton

Pledge of allegiance to the Flag

Invocation: Rev. James M. Booth, Maranatha Christian Fellowship Assembly  
of God

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5A 11, 12, 13, 14, 15,  
17, 18, 19, 21, 22, 23, 24, 25, 26,  
27, 30

Dropped from agenda: 16

ACTION: (Lang/McGrath, unan., Patterson, Sutton and Whiteside absent)

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Item 5, 29  
(Councilmember McGrath to be excused due to a conflict of interest.)

ACTION: (Lang/Irizarry, unan., McGrath, Patterson, and Sutton 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

Acknowledge the Drakeshire Drive Neighborhood Watch Group for winning the Grand Prize in the "National Night Out" contest sponsored by the Office of Criminal Justice Planning, KCRA-TV, and the Burger King Corporation. (Memo with agenda. Follow-up of Forward Modesto IV Security and Law Enforcement Task Force recommendation, "The City Council should revitalize and expand the activities of the Neighborhood Watch Program.")

Chief McKinsey introduced Jan Young, KCRA-TV, who on behalf of KCRA, Burger King, and the Office of Criminal Justice Planning, presented a check for \$600 to Denny Plotzker, Drakeshire Drive neighborhood, who presented checks for \$300 each to representatives of Kids on the Block and the Children's Crises Center. Mayor Whiteside presented certificates of appreciation to Drakeshire Drive residents.

Chief McKinsey introduced Tamara Fera of Rainbow Village Homes neighborhood which won \$100, given by KCRA TV, Burger King Corp, and the office of Criminal Justice Planning. She presented the \$100 to a representative of Bernard P. Hughes School in the Empire Union School District.

Chief McKinsey also announced that the City of Modesto is a national winner in the National Night Out Contest.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of September 19, 1989.  
(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 expressed his appreciation of Modesto in spite of any problems it has.

Bill McCormick spoke about problems with cruisers on McHenry.

UNFINISHED BUSINESS

CONSENT

4. Report on Hendley-Skytrek fuel farm lease agreement surety.  
(Memo with agenda. Motion acknowledging receipt of report that acceptable surety is now on file needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT - COUNCILMEMBER MCGRATH TO BE EXCUSED DUE TO A CONFLICT OF INTEREST.

5. Final adoption of Ord. No. 2681-C.S. amending P-D(419) to allow commercial development with C-1 uses on the west portion and office development with P-0 Zone uses on the east portion of property located on the southeast corner of Standiford Avenue and Prescott Road. (Resource Development)  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2681-C.S. adopted. (clerk to handle)

CONSENT

- 5A. Final adoption of Ord. No. 2682-C.S. adding Section 5-5.42 to Chapter 5 of Title V of the Modesto Municipal Code relating to paper recycling receptacles.  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2682-C.S. adopted. (Clerk to handle)

HEARINGS

6. Hearing to consider the appeal of Barghausen Consulting Engineers, Inc. on behalf of ARCO Products Company to a Planning Commission decision denying an application for an amendment to Section 24-3-9 of the Zoning Map to rezone from P-D(442) to a new P-D to allow a 24-hour convenience market with gas pump island, property located at the northwest corner of Claus Road and East Orangeburg Avenue.

ACTION: Res. 89-941 adopted (Lang/Irizarry, unan., Patterson and Sutton absent) denying appeal. (Clerk to handle)

7. Hearing to consider the appeal of Russell A. Harrison, on behalf of Terry Carson, to a Planning Commission decision concerning an application to rezone from R-1 to P-D, and a vesting tentative subdivision map of Woodland Woods, property located on the north side of Woodland Avenue at Shasta Avenue.

ACTION: Res. 89-942 adopted (Irizarry/Whiteside, unan., Patterson and Sutton absent) denying appeal. (Clerk to handle)

8. Hearing to consider updating green fees and conditions of play at Dryden and Muni Golf Courses. (Continued from September 12, 1989, City Council meeting.)

ACTION: By motion (Lang/Irizarry, unan., Patterson and Sutton absent) this matter referred back to staff to come up with financing alternatives, analysis of operating budget and construction costs, and meet with Council committee to develop proposals for golf course construction and rate review process. (P/R, Finance to handle)

9. Hearing to consider parking fee increases on 15 parking lots and operational changes on two parking lots.  
(This hearing will not be held.)

Hearing not held. No action taken.

10. Hearing to consider approving Fiscal Year 1989/90 UMTA Section 9 Program of Projects (POP) and authorize the filing of a grant application with Urban Mass Transportation Administration for the projects included in the POP.

ACTION: Res. 89-943 adopted (Muratore/Irizarry, unan., Sutton absent) approving grant application. (P/W to handle)

#### BIDS

##### CONSENT

11. Consider approval of plans and specifications and call for bids for the construction of Roselle Avenue canal crossing.  
(Suggested bid opening: October 19, 1989, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$210,419. (contract - \$191,290; eng. & cont. - \$19,129) Funds are partially budgeted. Additional funds will be requested after bids are received and a more accurate cost amount is known.)

ACTION: Res. 89-944 adopted calling for bids. (P/W to handle)

##### CONSENT

12. Consider approving specifications and authorizing call for bids for furnishing digester cleaning services.  
(Suggested bid opening: October 16, 1989, at 11:05 a.m. Requested by the Operations Division of Public Works, the services are needed at the treatment plant for cleaning sludge and sand that adheres to the walls and roofs of the digesters. Resolution approving specifications and calling for bids needed. Estimated cost: \$21,500 Funds are budgeted.)

ACTION: Res. 89-945 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider approving specifications and authorizing call for bids for furnishing wastewater flow monitoring equipment.  
(Suggested bid opening: October 16, 1989, at 11:00 a.m. Requested by the Operations Division of Public Works, the flow monitoring equipment (2 systems) is needed to monitor the increased wastewater flow at the treatment plant. Resolution approving specifications and calling for bids needed. Estimated cost: \$12,000 Funds are budgeted.)

ACTION: Res. 89-946 adopted calling for bids. (Finance to handle)

CONSENT

14. Consider approving specifications and authorizing call for bids for furnishing sludge removal services.  
(Suggested bid opening: October 16, 1989, at 3:05 p.m. Requested by the Operations/Sewerage Division of Public Works, the sludge removal services are required to remove dried digested sludge from the drying beds. The sludge will then be transported to a disposal site where it will be disked into the soil. Resolution approving specifications and calling for bids needed. Estimated cost: \$35,838 Funds are budgeted.)

ACTION: Res. 89-947 adopted calling for bids. (Finance to handle)

CONSENT

15. Consider approving specifications and authorizing call for bids for furnishing metal lighting standards.  
(Suggested bid opening: October 16, 1989, at 3:00 p.m. Requested by the Parks and Recreation Department, the metal lighting standards (7 each) are needed to continue the ongoing program to replace wooden standards in the parks. The wooden standards are deteriorating from age and are presently a hazard to the public. Resolution approving specifications and calling for bids needed. Estimated cost: \$7,000 Funds are budgeted.)

ACTION: Res. 89-948 adopted calling for bids. (Finance to handle)

NEW BUSINESS

- 15A. Staff report on safety improvements on Sylvan Avenue at Beyer High School, and consider amending the budget to include a Capital Improvement Project for improvements.

ACTION: Res. 89-949 adopted (McGrath/Patterson, unan., Sutton absent) amending budget to include a C.I.P. for traffic control modifications.  
Res. 89-950 adopted (same vote) approving an appropriation transfer to fund safety improvements at Beyer High School.  
By motion (McGrath/Patterson, unan., Sutton absent) staff directed to propose a safe driving public information program.  
(Finance/P.W./Manager to handle)

CONSENT

16. Consider creation of an Air Quality Task Force to deal with new and modified stationary source review regulations.  
(Memo with agenda. Motion creating Air Quality Task Force needed.)

Dropped from agenda

CONSENT

17. Consider setting public hearing concerning the annual adjustment of Capital Facilities Fees.  
(Resolution setting hearing on October 10, 1989, at 7:30 p.m. needed.)

ACTION: Res. 89-951 adopted setting hearing. (Clerk to handle)

CONSENT

18. Consider setting public hearing for proposed amendment to the General Plan Map to delete an elementary school site in the Chrysler-99 Neighborhood.  
(On September 5, 1989, the Planning Commission adopted Resolution No. 89-112 recommending an amendment to the General Plan Map to delete an elementary school site in the Chrysler-99 Neighborhood. Resolution No. 89-113 reports findings that the proposed deletion of a school site in the Chrysler-99 Neighborhood conforms to the General Plan. Resolution setting public hearing for October 10, 1989, at 7:30 p.m. needed.)

ACTION: Res. 89-952 adopted setting hearing. (Clerk to handle)

CONSENT

19. Consider authorizing City Manager to file a grant application with the California Transportation Commission for \$606,043 in State Transit Capital Improvement Program funds.  
(Memo with agenda. The funds would be used to partially offset the Local Transportation Fund monies which are committed to the Transportation Center project. Grant applications are due by October 2, 1989. Resolution authorizing City Manager to file grant application needed.)

ACTION: Res. 89-953 adopted approving grant application. (P/W to handle)

20. Consider authorizing City Manager to enter into a joint powers agreement with Modesto City Schools for the acquisition of the West Maze School and Neighborhood Park site, and amending the joint powers agreement with Modesto City Schools for the Johansen High School and Community Park site.  
(Memo with agenda. Resolution authorizing City Manager to sign West Maze joint powers agreement and resolution amending Johansen joint powers agreement needed.)

ACTION: Res. 89-954 adopted (Patterson/Lang, majority, McGrath-no, Sutton absent) approving joint powers agreement with Modesto City Schools. Res. 89-955 adopted (same vote) amending the joint powers agreement with Modesto City Schools for the Johansen High School and Community Park site.  
By motion (same vote) staff directed to report to Council on the amount of park land needed. (P/R to handle)

CONSENT

21. Consider approving agreement between the City of Modesto and M. E. Grover for harvesting olives from city-owned trees located in Mellis Park on N. Martin Luther King Drive.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-956 adopted approving agreement. (P/R to handle)

CONSENT

22. Consider authorizing staff to request proposals from consulting engineers for professional design services on Fire Station No. 1, and approving appropriation transfer.  
(Memo with agenda. Motion authorizing staff to request proposals and resolution approving appropriation transfer needed. Estimated cost: \$25,000.)

ACTION: By motion, staff directed to request proposals.  
Res. 89-957 adopted approving appropriation transfer. (P/W to handle)

CONSENT

23. Consider entering into an agreement with Pacific Design Associates, Inc., for architectural services on the new Modesto 18-hole golf course clubhouse.  
(Architectural services are needed for the design and preparation of detailed plans for the new clubhouse. Memo with agenda. Resolution approving agreement and resolution amending the 1989-90 budget needed. Estimated cost: \$31,612.)

ACTION: Res. 89-958 adopted approving agreement.  
Res. 89-959 adopted amending budget. (P/W to handle)

CONSENT

24. Consider acceptance of improvements in Jaed Estates Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Turner-Edwards Development. (Jaed Estates Subdivision is located south of Rouse Avenue, east of Wade Avenue. 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. 89-960 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

25. Consider appropriation for URS Consultants for additional public E.I.R. meetings on the M.I.D. surface water study.  
(Memo with agenda. Resolution authorizing expenditure of funds needed. Estimated cost: \$4,161.15.)

ACTION: Res. 89-961 adopted authorizing expenditure of funds. (Finance to handle)

CONSENT

26. Consider authorizing the retention of attorney Ron Fish, Esq., to represent the City regarding a patent infringement claim by Tink, Inc., and approving an appropriation transfer.  
(Memo with agenda. Resolution approving retention of outside counsel and resolution approving appropriation transfer needed. Estimated cost: \$20,000.)

ACTION: Res. 89-962 adopted approving retention of outside counsel.  
Res. 89-963 adopted approving appropriation transfer.  
(Atty/Finance to handle)

CONSENT

27. Consider leasing the Hailwood Ranch to Hein Hettinga and Amos DeGroot .  
(Memo with agenda. Resolution approving lease agreement needed.)

ACTION: Res. 89-964 adopted approving agreement. (Attorney to handle)

WRITTEN COMMUNICATIONS

28. Letter from Ken Bryant, President of the Modesto City Fire Fighters Association, concerning the meet and confer process and actions taken in connection with item #7 in the current Memorandum of Understanding.

ACTION: By order of the Chair, a closed session is to be scheduled at the close of the October 6, 1989 Council meeting.

CONSENT - COUNCILMEMBER MCGRATH EXCUSED DUE TO A CONFLICT OF INTEREST.

29. Letter from Normoyle & Newman, on behalf of J. S. West Company, appealing a decision of the Planning Commission concerning a tentative parcel map application submitted by Modesto Lumber Company.  
(Resolution setting hearing October 17, 1989, at 4:00 p.m. needed.)

ACTION: Res. 89-965 adopted setting hearing. (Clerk to handle)

CONSENT

30. Letter from the Downtown Improvement District requesting permission to hold a sidewalk sale on October 4 through 7, 1989.  
(Motion approving request needed.)

ACTION: By motion, request approved. (Planning 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 11:57 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 12:00 noon, September 29, 1989, in the Council Chambers, City Hall, Modesto, California.

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

Absent: Councilmember Lang

Duwayne Miller, President of the Modesto City Employees' Association, presented a check for \$100 to the City Council for the Sutton Memorial Grove.

By motion (Muratore/McGrath, majority, Irizarry-no, Lang absent), staff was directed to proceed with preparations for filling the City Council vacancy by appointment. Application forms are to be available after 12:00 noon on Tuesday, October 3, 1989.

The meeting adjourned at 12:25 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, OCTOBER 3, 1989, AT 4:00 P.M.

Roll Call - Present: Councilmembers Irizarry, Lang, McGrath, Muratore,  
Patterson, Mayor Whiteside  
Councilmember McGrath arrived at 4:05 p.m.

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Stephen Elliott, Prescott Evangelical Free Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 9, 10, 14, 15,  
16, 17, 18, 19

Removed from consent: 13

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

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Item 12

COUNCILMEMBER MC GRATH EXCUSED DUE TO A CONFLICT OF INTEREST

ACTION: (Lang/Muratore, unan., McGrath 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.

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1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of September 26, 1989.  
(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. Final Report from Tier 1, Urban Growth Committee, and recommendations on managing growth in Modesto.  
(The California Environmental Trust has been working with the Tier 1, Urban Growth Committee on a Growth Management Strategy, a portion of which was shared with the Council on June 27, 1989. This final report is now ready for presentation. Motion of appreciation to California Environmental Trust and Tiers 1 and 2, and motion directing staff needed.)

ACTION: By motion (Muratore/Lang, unan.) expressed appreciation to Tier 1 and Tier 2 of the Urban Growth Committee and Joseph Bodovitz and Tich Sprague of the California Environmental Trust.

By motion (same vote) approved the five recommendations of the Urban Growth Committee's Growth Management strategy, directed staff to work with the Financial Plan Consultant for Village 1 to address recommendations 2, 3, 5c, and 5d, and directed staff to work toward reconvening Urban Growth Committee toward the first quarter of 1992.  
(Planning to handle)

### HEARINGS

5. Hearing to consider the appeal of Gary and Lori Martinez to a Board of Zoning Adjustment decision concerning an application for a variance from the 15-foot front and side-yard setbacks to allow a seven-foot wall to be built along Sylvan Avenue and Palmwood Drive at 1901 Sylvan Avenue.

ACTION: Res. 89-966 adopted (Irizarry/McGrath, unan.) granting appeal.  
(P/W to handle)

Councilmember Lang excused at 5:45 p.m.

6. Hearing to consider and finally determine whether the public interest, convenience and necessity require the acquisitions and improvements consisting of sanitary sewer facilities, including all required mains, lines, laterals, manholes, fittings and appurtenances and all work necessary and to determine whether the owners of a majority of the area of the property in the proposed assessment district have duly filed written protests against Improvement District No. 28.

ACTION: Res. 89-967 adopted (McGrath/Muratore, unan., Lang absent) determining convenience and necessity, adopting Engineer's report, confirming assessment and ordering work.  
Res. 89-968 adopted (same vote) overruling protests.  
Res. 89-969 adopted (same vote) ordering changes and modifications.  
(P/W to handle)

### BIDS

#### CONSENT

7. Consider approval of plans and specifications and call for bids for the Police parking lot at 10th and F Streets.  
(Suggested bid opening: October 19, 1989, at 11:05 a.m. This project will solve dust problems and will provide off-street parking for police vehicles. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$22,200 (contract - \$20,182; eng. & cont. - \$2,018). Funds are budgeted.)

ACTION: Res. 89-970 adopted calling for bids. (P/W to handle)

#### CONSENT

8. Consider approval of specifications and call for proposals for furnishing a Utility Customer Information System (UCIS).  
(Suggested bid opening: October 23, 1989, at 11:00 a.m. Memo with agenda. Resolution approving specifications and calling for proposals needed.)

ACTION: Res. 89-971 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider approval of specifications and Notice to Bidders to sell a 3840+ square foot five-bedroom three-bath house located at 2955 Lincoln Avenue. (Suggested bid opening: November 7, 1989, at 10:00 a.m. Memo with agenda. Resolution approving specifications and calling for bids needed.)

ACTION: Res. 89-972 adopted calling for bids. (Attorney to handle)

CONSENT

10. Consider awarding contract to Collins Electrical Company for modifications of traffic signals at Standiford at Sisk and Standiford at Dale and amending the 1989-90 budget. (Memo with agenda. Bids were opened on September 21, 1989. Four bids were received. Collins Electrical Company was the low bidder at \$118,000. This is 47% above the estimate and is considered acceptable. Resolution amending the 1989-90 budget, and resolution awarding the contract needed.)

ACTION: Res. 89-973 adopted amending budget.  
Res. 89-974 adopted awarding contract. (P/W to handle)

NEW BUSINESS

11. Presentation of a slide program regarding the Airport's economic impact on the community and consider authorizing showing the program publicly, and discuss the Airport's annual report and other Airport issues. (Memo with agenda. Motion approving public showing of the slide program needed.)

ACTION: By motion (McGrath/Muratore, unan., Lang absent) this item was continued to October 17, 1989, at 4:00 p.m. (Clerk to handle)

CONSENT -- COUNCILMEMBER MC GRATH EXCUSED DUE TO A CONFLICT OF INTEREST

12. Report of Superintendent of Streets on the cost of installation of curb and/or sidewalk at the following locations:

1. Curb at 207 E. Coolidge Avenue, a portion of Block 200 (Thomas R. Perry - \$1,569.00)
2. Curb at 157 E. Coolidge Avenue, a portion of Block 200, (Modesto Imaging Center - \$1,088.00)
3. Sidewalk at 400 Winmore Avenue, Lot 5 of Block 9918 (David G. Pollart - \$335.00)
4. Curb at 161 E. Coolidge Avenue, a portion of Block 200 (Modesto Imaging Center - \$1,155.00)

5. Sidewalk along Wellesley Avenue at 1031 W. Roseburg Avenue, a portion of Block 6011 (Asenath Seals - \$889.00)
6. Curb along E. Fairmont Avenue and Ila Way at 925 Ila way, a portion of Block 65 (Naomi H. Tucker Life Estate - \$2,959.00)
7. Curb at 225 E. Fairmont Avenue, a portion of Block 651 (Georgia Adams - \$2,432.00)
8. Curb at 128 E. Fairmont Avenue, a portion of Block 648 (Tangent Investment co. - \$1,413.00)
9. Curb at 130 E. Fairmont Avenue, a portion of Block 648 (Tangent Investment Co. - \$1,199.00)
10. Curb at 117 E. Fairmont Avenue, a portion of Block 651 (Jerry L. Hooper - \$1,270.00)
11. Sidewalk at 1420 Teresa Street, Lot 28 of Block 6078 (Wendell L. Thompson - \$519.00)
12. Sidewalk at 1400 Teresa Street, Lot 23 of Block 2078 (Michael Ballantyne - \$439.00)
13. Curb and sidewalk at 1531 Scenic Drive, a portion of Block 1022 (Charles K. White - \$1,485.12)
14. Curb at 140 Frances Avenue, a portion of Block 618 (Terrance P. Powell - \$1,229.00)
15. Curb and sidewalk along Santa Cruz Avenue at 820 S. Santa Cruz Avenue, Lot 12 of Block 2071 (Vera L. Bauguess - \$2,336.00)
16. Curb and sidewalk at 808 S. Santa Cruz Avenue, Lot 10 of Block 2071 (O.B. Broome - \$1,264.00)
17. Curb and sidewalk at 2713 Woodland Avenue, a portion of Block 5920 (Samuel G. Delgado - \$5,079.00)
18. Sidewalk along E. Rumble Road at 609 E. Rumble Road, a portion of Block 12315 (Steve K. Moore - \$789.00)
19. Sidewalk at 605 E. Rumble Road, a portion of Block 12315 (Larry Sweatman - \$819.00)
20. Curb and sidewalk at 1322 E. Orangeburg Avenue, a portion of Block 1160 (Anna Louise McCoy - \$1,289.00)
21. Sidewalk at 1005 Ramona Avenue, Lot 10 of Block 638 (Mark O. Bogenrief - \$659.00)

22. Curb and sidewalk at 2555 Veneman Avenue, a portion of Block 13555  
(Allen Root - \$2,899.00)
23. Curb and sidewalk at 2613 Veneman Avenue, a portion of Block 13555  
(Wayne A. Jarboe - \$2,899.00)
24. Curb and sidewalk at 2601 Veneman Avenue, a portion of Block 13555  
(Bruce H. Hawkins - \$2,899.00)

(Required work has been completed. Costs have been calculated and a tabulation of properties, the owners and respective costs is listed above. Resolution setting hearing November 14, 1989, at 7:30 p.m. needed.)

ACTION: Res. 89-975 adopted (Lang/Muratore, unan., McGrath absent) setting hearing. (Clerk to handle)

13. Consider authorizing staff to enter into negotiations with Bissell & Karn, Inc., for the design of the Claus Road bridge widening and Scenic/Claus traffic signal installation.  
(Engineering design services are needed for the design and preparation of detail plans for the bridge and traffic signal. Memo with agenda. Motion authorizing staff to enter into negotiations with Bissell & Karn, Inc., needed.)

ACTION: By motion (Muratore/Irizarry, unan., Lang absent) staff authorized to enter into negotiations. (P/W to handle)

CONSENT

14. Consider job description and salary range changes for Deputy Director of Public Works - Transportation.  
(Memo with agenda. Resolution amending the Position Classification Plan to modify the job description, and resolution amending the Class Range Table to set the salary at Range 450 needed.)

ACTION: Res. 89-976 adopted amending Position Classification Plan.  
Res. 89-977 adopted amending salary schedule. (Manager to handle)

CONSENT

15. Consider authorizing the filing of an application for the 1990 Fuel Efficient Traffic Signal Management (FETSIM) program (Western, Phase I)  
(Memo with agenda. Resolution authorizing the application needed.)

ACTION: Res. 89-978 adopted authorizing the application. (P/W to handle)

CONSENT

16. Consider selling excess property located on Brighton Avenue to Ike Shaw. (Memo with agenda. Resolution approving agreement and authorizing City Manager and City Clerk to execute Grant Deed needed.)

ACTION: Res. 89-979 adopted approving agreement and authorizing execution of grant deed. (Attorney to handle)

CONSENT

17. Consider approval of the final map of Kingswood Estates No. 7 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: Peter Scontriano and John M. Stocker, Jr. (The subdivision agreement has been signed and all fees paid. Kingswood Estates No. 7 is located on the south side of Sylvan Avenue, the east side of Kingswood Drive, and the south side of Princewood Lane. It contains 5.387 acres. Resolution approving final map needed.)

ACTION: Res. 89-980 adopted approving final map. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

18. Consider request of Christian Berets, Inc., for Direct City Assistance for the Third Annual Christmas Parade on December 2, 1989. (Request with agenda. Resolution approving request needed.)

ACTION: Res. 89-981 adopted approving request. (Police/P & R to handle)

MISCELLANEOUS

Appointments

CONSENT

19. Consider accepting resignations from three members of the Modesto Charter Review Committee, and appointing Modesto Youth Commissioner Peter Caster. (Memo with agenda. Two resolutions needed.)

ACTION: Res. 89-982 adopted accepting resignations.  
Res. 89-983 adopted appointing Peter Caster. (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.)

ACTION: By motion (Patterson/Muratore, unan., Lang absent) it was determined that the need to consider this matter arose too late for the agenda.

By motion (Patterson/Irizarry, unan., Lang absent) staff was directed to look into what steps would be necessary to name the park next to Johansen High School in memory of John Sutton. Staff was also directed to prepare a resolution of condolence for the Sutton family for Council consideration at its October 10 meeting.

(P & R/ Manager to handle)

CLOSED SESSION

21. Closed session to discuss a personnel matter pursuant to Government Code Section 54957.6.

ADJOURNMENT

The meeting adjourned at 6:53 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 10, 1989, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Jack Hewitt, Modesto Gospel Mission

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 9, 10, 11, 12, 13, 14, 15,  
18, 19, 20, 21, 22, 23, 24

Dropped from agenda: 17

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.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

- a. Resolution of condolence to the family of John & Donna Sutton.

ACTION: Res. 89-984 adopted (Patterson/McGrath, unan.) offering condolences to the family.

- b. Resolution naming a park in honor of John Sutton.

ACTION: Res. 89-985 adopted (Patterson/McGrath, unan.) naming a park in honor.

MINUTES

CONSENT

2. Approval of the minutes of the special meeting of September 29, 1989, and the regular meeting of October 3, 1989.  
(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 problems on McHenry Avenue.

UNFINISHED BUSINESS

4. Discussion of process for filling City Council vacancy.

ACTION: By motion (McGrath/Muratore, unan.) the recommended process was approved.  
By order of the Chair, each member of the Council is to give the Clerk one question to be compiled into a list of six questions to be asked of candidates, and each Councilmember is to give the Clerk a list of ten applicants to be considered for interview to be compiled and a final list of ten compiled. (Clerk to handle)

5. Consider staff recommendations in response to the Elmwood Avenue Neighborhood Watch Group's request to reduce vehicle and pedestrian traffic from McHenry Avenue businesses into their neighborhood. (Forward Modesto IV follow-up: Security/Law Enforcement Task Force: The City Council should revitalize and expand the activities of the Neighborhood Watch Program. Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Lang/Muratore, unan.) recommendations approved and staff directed to look into the process and ramifications of permanently closing Elmwood. (Police/Planning/Public Works)

Councilmember Irizarry excused at 9:00 p.m. for five minutes.

#### HEARINGS

6. Hearing to consider proposed amendment to the General Plan Map to delete an elementary school site in the Chrysler-99 Neighborhood.

ACTION: Res. 89-985A adopted (McGrath/Muratore, unan., Irizarry absent) certifying review of the Environmental Assessment prepared by the Stanislaus Union School District and directing staff to file a Notice of Determination.

Res. 89-985B adopted (same vote) amending the Land Use Element Map of the Modesto Urban Area General Plan to delete a second elementary school site in the Chrysler-99 Neighborhood.

(Planning to handle)

7. Hearing to consider the annual adjustment of Capital Facilities Fees.

ACTION: Res. 89-986 adopted (Muratore/McGrath, unan.) adjusting Capital Facilities Fees. (Planning to handle)

8. Hearing to consider updating the filing fees for Planning and Zoning Applications.

ACTION: Res. 89-987 adopted (Lang/Irizarry, unan.) updating filing fees for Planning and Zoning applications. (Planning to handle)

#### BIDS

##### CONSENT

9. Consider awarding contract for the water line across 99 Freeway bridge to W. M. Lyles.

(Memo and bid tabulation with agenda. Resolution awarding contract to W. M. Lyles Co. needed. Estimated cost: \$428,000. Funds are budgeted.)

ACTION: Res. 89-988 adopted awarding contract. (P/W to handle)

CONSENT

10. Consider awarding contract for the water line on Marin Avenue, Ustick Avenue and Whitmore Avenue to Rolfe Construction Co.  
(Memo and bid tabulation with agenda. Resolution awarding contract to Rolfe Construction needed. Estimated cost: \$147,736. Funds are budgeted.)

ACTION: Res. 89-989 adopted awarding contract. (P/W to handle)

CONSENT

11. Consider authorizing the purchase of replacement parts for street sweeper from Laca! Equipment Co. for the total price of \$6,206.35.  
(Memorandum with Agenda. Resolution awarding contract to Laca! Equipment Co. needed. Funds are budgeted.)

ACTION: Res. 89-990 adopted awarding contract. (Finance to handle)

CONSENT

12. Consider acceptance of Weldon, Weldon & Cowell's contract for the underground fuel tank removal at the Modesto City-County Airport.  
(Original contract and final cost: \$22,229)  
(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. Funds are budgeted.)

ACTION: Res. 89-991 adopted accepting as complete. (Clerk to handle)

CONSENT

13. Consider acceptance of George Reed Inc.'s contract for bank repair and slope protection at East La Loma Park and Beard Brook Park. (Original contract: \$81,650)  
(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: \$91,270.  
Funds are budgeted.)

ACTION: Res. 89-992 adopted accepting as complete. (Clerk to handle)

CONSENT

14. Consider rejection of bid and authorize new call for bids for the sewer and water line relocations at N. Madison Street and Linden Street.  
(Memo and bid tabulation with agenda. Suggested bid opening: October 26, 1989, at 11:00 a.m. Resolution rejecting bid and authorizing new call for bids needed. Estimated cost: \$124,175.70 (contract \$112,887; eng. & cont. \$11,288.70) Funds are budgeted.)

ACTION: Res. 89-993 adopted rejecting bid & authorizing new call for bids.  
(P/W to handle)

CONSENT

15. Consider waiving formal bid procedures and authorizing the purchase of Computer Equipment from Apple Computers, Inc. for the total price of \$15,865.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchases needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-994 adopted waiving formal bid procedure. (Finance to handle)

Councilmember McGrath excused at 9:10 p.m. for ten minutes.

NEW BUSINESS

16. Consider selection of two teams of consultants to prepare a specific plan, EIR and financing plan for Village 1.  
(Memo with agenda. Motion approving the selection of the two teams, their scopes of service and budget, resolution amending the budget to finance this project, and motion directing staff to develop contracts for future approval needed. Estimated cost: \$385,000+.)

ACTION: By motion (Lang/Patterson, unan.) approved selection of two teams of consultants.  
Res. 89-995 adopted (same vote) amending budget to finance this project.  
By motion (same vote) directed staff to develop contracts for future approval. (Planning to handle)

CONSENT

17. Consider approving amendment #2 to the Amended and Restated Service Agreement with Stanislaus County and Stanislaus Waste Energy Company.  
(Memo with agenda. Resolution approving amendment to agreement needed.)

Dropped from agenda.

CONSENT

18. Consider modifying speed limits on various streets.  
(Memo with agenda. A total of 11 updated or revised radar-enforceable speed limits are proposed. Also, a new non-radar limit is proposed. Introduction of an ordinance needed. Estimated cost: \$900. Funds are budgeted.)

ACTION: By motion, Ord. No. 2683-C.S. introduced. (Clerk to handle)

CONSENT

19. Consider authorizing the City Manager to sign an extended warranty agreement with J. H. Evans Telecommunications, Inc. to provide maintenance and service coverage for the City's telephone system. (Memorandum with agenda. Resolution approving agreement needed. Estimated cost: \$20,064. Funds are budgeted.)

ACTION: Res. 89-996 adopted approving agreement. (Finance to handle)

CONSENT

20. Consider authorizing City Manager to sign a reimbursement agreement with Richard C. and Kathleen M. Tallcott for the installation of a 6" sewer line in Houser Lane. (Owners installed 205 linear feet of 6" sewer line in Houser Lane and have requested reimbursement for a portion of the sewer connection charges collected by City from other properties which connect directly to the sewer line. Resolution approving agreement needed.)

ACTION: Res. 89-997 adopted approving agreement. (P/W to handle)

CONSENT

21. Consider authorizing City Manager to sign a reimbursement agreement with Richard C. and Kathleen M. Tallcott for the installation of an 8" water line in Houser Lane. (Owners installed 205 linear feet of 8" water line in Houser Lane and have requested reimbursement for a portion of the water connection charges collected by City from other properties which connect directly to the water line. Resolution approving agreement needed.)

ACTION: Res. 89-998 adopted approving agreement. (P/W to handle)

CONSENT

22. Consider request for sewer service to property outside City limits at 1713 Woodland Avenue, located on the north side of Woodland Avenue between Watts Avenue and Emigrant Way. (Owner: Elizabeth Collins) (The property owner has 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. Resolution approving agreement needed.)

ACTION: Res. 89-999 adopted approving agreement. (P/W to handle)

CONSENT

23. Consider request for water service to property outside City limits at 1713 Woodland Avenue, located on the north side of Woodland Avenue between Watts Avenue and Emigrant Way. (Owner: Elizabeth Collins) (The property owner has 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. Resolution approving agreement needed.)

ACTION: Res. 89-1000 adopted approving agreement. (P/W to handle)

CONSENT

24. Consider approving an amendment to the original licenses agreement with American Management Systems to provide for the addition of fleet management, workorder and job cost subsystems.  
(Memo with agenda. Resolution approving amendment to agreement needed. Estimated cost: \$58,500. Funds are budgeted.)

ACTION: Res. 89-1001 adopted approving amended agreement. (Finance 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 9:54 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

City Hall  
801 11th Street  
Modesto, California

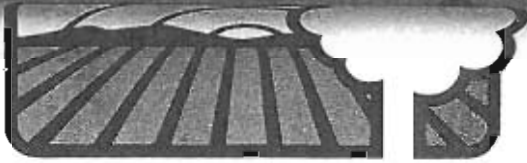
The Council of the City of Modesto met in a special session at 3:30 p.m., October 17, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Mayor Whiteside

Absent: Councilmember Patterson

The Council adjourned at 3:35 p.m. to 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

ATTEST: Morrine Coyle  
MORRINE 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 1:15 p.m., October 16, 1989, in the Mayor's Office, City Hall, Modesto, California.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Mayor Whiteside

Absent: None

The City Council met to discuss the appointment process. At 1:30 p.m., Councilmembers Irizarry, Lang, and McGrath moved to the Council Office meeting room, and Councilmembers Muratore, Patterson, and Mayor Whiteside remained in the Mayor's Office to interview candidates.

After the interviews, the meeting adjourned at 4:15 p.m. to October 18, 1989, at 1:30 p.m. for further interviews.

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 17, 1989, AT 4:00 P.M.

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

Absent: Patterson

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 10, 11, 12, 13, 19,  
20, 21, 22, 23, 24, 25, 27,  
28, 29, 30, 32, 33, 33A, 36,

Removed from consent: 26, 37

ACTIDN: (Lang/Irizarry, unan., Patterson absent)

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Item 31

COUNCILMEMBER MURATORE EXCUSED DUE TO A CONFLICT OF INTEREST

ACTION: (McGrath/Irizarry, 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.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Cathy Gorham announced that the City of Modesto's Public Information Program won the top award for "best overall program" presented by the California Association of Public Information Officials.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of October 10, 1989.  
(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. Report outlining a proposed Safe Driving Public Information Program.  
(Memo with agenda. Motion accepting staff recommendations needed.)

ACTION: By motion (Lang/McGrath, unan., Patterson absent) staff recommendations approved, and staff directed to contact other groups and organizations about the program. (Manager to handle)

5. Consider offer of Mr. and Mrs. D. A. Conway to purchase potential excess land.  
(Memo with agenda. Motion declining to sell at this time required.)

ACTION: By motion (McGrath/Whiteside, majority, Muratore-no, Patterson absent) staff recommendation approved, City to pay one-half of the appraised fee if the Conways proceed, and credit the abandonment fees against the acquisition price if the sale is consummated.  
(Attorney to handle)

- 5A Expression of support for "The Great Cover-Up", a day when volunteer citizens, members of the City Council, and Senator Dan McCorquodale will paint over graffiti in Modesto.  
(Memo with agenda. Resolution supporting and expressing the degree to which the City of Modesto, as an organization, will become involved in the project needed. Estimated Cost \$500.00)

ACTION: Res. 89-1002 adopted (Irizarry/McGrath, unan., Patterson absent) supporting. (Manager to handle)

CONSENT

6. Final adoption of Ord. No. 2683-C.S. amending the Modesto Municipal Code sections relating to speed limits in the City of Modesto.  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2583-C.S. adopted. (Clerk to handle)

HEARINGS

7. Hearing to consider the appeal of Normoyle & Newman, on behalf of J. S. West Company to a decision of the Planning Commission concerning a tentative parcel map to divide property located at the west corner of Ninth Street and D Street owned by Southern Pacific Railroad.

ACTION: By motion (Lang/Irizarry, unan., Patterson absent) hearing continued to November 21, 1989. (Clerk to handle)

8. Hearing to consider designation of the following sites as City of Modesto Preservation sites:

- a. The Modesto Arch, built in 1911-12, 9th and I Streets
- b. The McHenry Museum, built as a library in 1912, 1401 I Street
- c. The McHenry Mansion, built in 1883, 906 15th Street.

ACTION: By motion (Lang/McGrath, unan., Patterson absent) hearing continued to November 21, 1989. (Clerk to handle)

9. Hearing to consider adopting fee schedules for plan checking and work regulated by the Building, Mechanical, Plumbing and Electrical Codes.

ACTION: Res. 89-1003 adopted (Muratore/Irizarry, unan., Patterson absent) adopting fee schedule for Building Code.  
Res. 89-1004 adopted (same vote) adopting fee schedule for Mechanical Code.  
Res. 89-1005 adopted (same vote) adopting fee schedule for Plumbing Code.  
Res. 89-1006 adopted (same vote) adopting fee schedule for Electrical Code. (P/W to handle)

BIDS

CONSENT

10. Consider approving plans and specifications and calling for bids for traffic signal construction at Sylvan Avenue and Keller Street. (Suggested bid opening: November 7, 1989, at 11:00 a.m. Memo with agenda. A traffic-actuated signal with a protected left-turn phase is proposed. Estimated cost: \$80,000. Funds are budgeted.)

ACTION: Res. 89-1007 adopted calling for bids. (P/W to handle)

CONSENT

11. Consider award of contract for the construction of picnic area and shade structure at Mellis Park to Ireland's. (Bids were opened October 5, 1989. The low bid of \$57,989.02, submitted by Ireland's is 5.26% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the project be awarded to Ireland's. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 89-1008 adopted awarding contract. (P/W to handle)

CONSENT

12. Consider awarding contract for the purchase of fill dirt (loam) from A. A. and Bob Allen, Inc. for the total price of \$4,650.75. (Memorandum with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 89-1009 adopted awarding contract. (Finance to handle)

CONSENT

13. Consider waiving formal bid procedures and authorizing the purchase of seven used, four-door sedans from Golden Gate Auto Auction for a total cost of \$87,848. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-1010 adopted waiving formal bid procedure. (Finance to handle)

NEW BUSINESS

14. Presentation of a slide program regarding the Airport's economic impact on the community and consider authorizing showing the program publicly, and discussion of the Airport's annual report and other Airport issues. (Memo with agenda. Motion approving public showing of the slide program needed.) (Continued from October 3, 1989, City Council meeting.)

ACTION: By motion (Lang/McGrath, unan., Patterson absent) public showing of slide program approved.  
By motion (Lang/McGrath, unan., Patterson absent) acknowledged receipt of report. (P/W to handle)

15. Discussion of conduct of December 12, 1989, run-off election.

ACTION: By motion (Lang/Muratore, majority, McGrath-no, Patterson absent) it was determined that the run-off election will be conducted by mail. (Clerk to handle)

16. Consider the following:

- a. Annual Affirmative Action Commission Report (period of May, 1988, through September, 1989).
- b. Annual Affirmative Action Program Report.

(Reports with agenda. Motion acknowledging receipt of reports needed.)

ACTION: By motion (McGrath/Muratore, unan., Patterson absent) receipt of report acknowledged.

17. Report to the Grand Jury on the Redevelopment Agency of the City of Modesto.  
(Memo with agenda. Motion accepting the report for transmittal to the Grand Jury accompanied by a letter from the Mayor needed.)

Dropped from agenda.

18. Report on the General Fund Contingency Reserve and appropriation of supplemental requests for the General Fund and the other funds for Fiscal Year 1989-90.  
(Memo with agenda. Resolution appropriating supplemental requests and adjusting the 1989-90 Annual Budget needed. Estimated cost: \$1,356,015.)

ACTION: Res. 89-1011 adopted (McGrath/Muratore, unan., Patterson absent) appropriating supplemental requests and adjusting the 1989-90 Annual Budget. (Finance to handle)

CONSENT

19. Consider transfer of \$13,817 from the Fire Department Development Fee Account to fund the installation of traffic signal preemption devices. (Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 89-1012 adopted approving appropriation transfer. (Finance/Fire to handle)

CONSENT

20. Consider authorizing refund of \$3,902.60 for overpayment of Business License Tax by Liquor Barn. (Memo with agenda. Resolution authorizing refund needed.)

ACTION: Res. 89-1013 adopted authorizing refund. (Finance to handle)

CONSENT

21. Monthly Treasurer's Report for September, 1989. (Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

22. Consider adopting the 1988 editions of the Uniform Building Code, Uniform Mechanical Code, Uniform Plumbing Code, Uniform Fire Code and the 1987 edition of the National Electrical Code. (Introduction of five ordinances adopting Codes needed.)

ACTION: By motion, Ord. No. 2684-C.S. introduced adopting the 1988 Uniform Building Code.  
By motion, Ord. No. 2685-C.S. introduced adopting the 1988 Uniform Mechanical Code.  
By motion, Ord. No. 2686-C.S. introduced adopting the 1988 Uniform Plumbing Code.  
By motion, Ord. No. 2687-C.S. introduced adopting the 1988 Uniform Fire Code.  
By motion, Ord. No. 2688-C.S. introduced adopting the 1987 National Electrical Code. (Clerk to handle)

CONSENT

23. Consider authorizing City Manager to sign reimbursement agreement with New West Federal Savings and Loan Association for installation of a 36" storm drain trunk line. (Wellington Cove Condominiums subdivision is located on the south side of Scenic Drive at Rose Avenue. The developer has requested permission to install City's storm trunk line in order to reduce time delays. An agreement is needed to allow reimbursement for construction costs. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$23,871. Funds are budgeted.)

ACTION: Res. 89-1014 adopted approving agreement. (P/W to handle)

CONSENT

24. Consider authorizing City Manager to sign reimbursement agreement with Patman Company, Inc. for street improvements in Claus Road, and consider authorizing an appropriation transfer of \$8,775 to provide financing. (Memo with agenda. City is responsible for pavement construction in Claus Road which is more than 40' from property line. Developer has constructed the City's required pavement adjacent to the Cedar Creek Village Apartments on Claus Road at Cedar Creek Court and reimbursement is in order. Resolution approving agreement, and resolution authorizing appropriation transfer needed.)

ACTION: Res. 89-1015 adopted approving agreement.  
Res. 89-1016 adopted authorizing appropriation transfer.  
(P/W and Finance to handle)

CONSENT

25. Consider directing the Department of Public Works and Transportation to proceed with the Parking Consultant selection process for a Downtown parking District, and consider amending the 1989-90 budget to provide financing for the Parking Consultant. (Memo with agenda. Motion directing staff to proceed, and resolution amending budget needed.)

ACTION: By motion, staff directed to proceed.  
Res. 89-1017 adopted amending budget.  
(P/W and Finance to handle)

Councilmember Irizarry excused for 5 minutes.

26. Consider supporting efforts of Sacramento business and government leaders to attract the National Football League Los Angeles Raiders to Sacramento. (Memo with agenda. Resolution supporting efforts of Sacramento needed.)

ACTION: Res. 89-1018 adopted (Lang/Muratore, unan., Irizarry and Patterson absent) supporting efforts to attract the Raiders to Northern California.  
(Econ. Develop. Director to handle)

CONSENT

27. Consider abandonment of 5.00 feet of excess right of way for Sixth Street at Block 27 of the City of Modesto. (Memo with agenda. Resolution vacating and abandoning excess right of way needed.)

ACTION: Res. 89-1019 adopted abandoning excess right of way.  
(P/W to handle)

CONSENT

28. Consider job description changes for Parks Maintenance Supervisor I and Equipment Crewleader.  
(Memorandum with agenda. Resolution amending the Position Classification Plan needed.)

ACTION: Res. 89-1020 adopted amending Position Classification Plan.  
(Manager to handle)

CONSENT

29. Consider approving agreements with Postal Convenience and Carranza Pharmacy to operate as pay stations; approving agreements with Postal Convenience and Carranza Pharmacy to sell monthly bus passes; approving agreements with Paradise Drugs, Paul's Rexall #1, The Bookstore, The Yogurt Pump #2, We Cash #2, We Cash #4, and Readmore Bookstore #13 to sell monthly bus passes, and increasing fees paid for utility collections from 15¢ to 20¢ per transaction.  
(Memo with agenda. Increases in utility pay station rates, currently 15¢ per transaction, are needed to continue parity with other utilities. New pay stations are needed to replace two that wished to terminate. Pass outlets are needed to allow termination of pass sales on Intracity Transit buses. The plan to terminate such sales was previously approved by Council. Sixteen resolutions amending or approving agreements with existing and new pay stations and bus pass outlets needed. Estimated cost: Pay stations \$1,891 increase; bus passes \$800. Funds are budgeted.)

ACTION: Res. 89-1021 adopted approving agreement with Postal Convenience to operate as a utility pay station.  
Res. 89-1022 adopted approving agreement with Carranza Pharmacy to operate as a utility pay station.  
Res. 89-1023 adopted approving agreement with Postal Convenience to sell monthly bus passes.  
Res. 89-1024 adopted approving agreement with Carranza Pharmacy to sell monthly bus passes.  
Res. 89-1025 adopted approving agreement with Paradise Drugs to sell monthly bus passes.  
Res. 89-1026 adopted approving agreement with Paul's Rexall #1 to sell monthly bus passes.  
Res. 89-1027 adopted approving agreement with The Bookstore Ltd. to sell monthly bus passes.  
Res. 89-1028 adopted approving agreement with The Yogurt Pump #2 to sell monthly bus passes.  
Res. 89-1029 adopted approving agreement with We Cash #2 to sell monthly bus passes.  
Res. 89-1030 adopted approving agreement with We Cash #4 to sell monthly bus passes.  
Res. 89-1031 adopted approving agreement with Readmore Bookstore #13 to sell monthly bus passes.

Res. 89-1032 adopted approving amended agreement with Paradise Rexall Drugs for an increase in fees paid for utility collections.  
Res. 89-1033 adopted approving amended agreement with Paul's Rexall Drugs at 130 N. Santa Cruz Avenue for an increase in fees paid for utility collections.  
Res. 89-1034 adopted approving amended agreement with Paul's Rexall Drugs at 1031 W. Orangeburg Avenue for an increase in fees paid for utility collections.  
Res. 89-1035 adopted approving amended agreement with Scenic Drug for an increase in fees paid for utility collections.  
Res. 89-1036 adopted approving amended agreement with Model Pharmacy for an increase in fees paid for utility collections.  
(P/W, Finance to handle)

CONSENT

30. Consider extension of contract with DeLeuw, Cather & Company, consultants on the project for planning removal of Union Pacific Railroad from 9th Street.  
(An extension of eight months to June 5, 1990 for consultant contract on train removal is recommend. Resolution approving amendment to agreement needed.)

ACTION: Res. 89-1037 adopted approving amended agreement. (P/W to handle)

CONSENT COUNCILMEMBER MURATORE EXCUSED DUE TO A CONFLICT OF INTEREST

31. Consider setting hearing November 14, 1989, at 7:30 p.m. and instructing the Superintendent of streets to give notices to construct curbs and or/ sidewalks at the following locations:
- a. Curb along E. Fairmont Avenue, at 935 Patricia Lane, a portion of Block 654 (Barbara A. Watson)
  - b. Curb at 226 E. Fairmont Avenue, a portion of Block 645 (Arlene Donaldson)
  - c. Curb at 234 E. Fairmont Avenue, a portion of Block 645 (Jean M. Tarabek)
  - d. Curb at 232 E. Fairmont Avenue a portion of Block 645 (Lee J. Quinton)
  - e. Curb along Melrose Avenue at 425-427 Corson avenue, a portion of Block 659 (Robert L. Crisp)
  - f. Curb and Sidewalk at 1335 Nelson Avenue, a portion of Block 1136 (Terry Carson)
  - g. Curb and Sidewalk along Nelson Avenue at 1305 Nelson Avenue, a portion of Block 1136 (Sandra C. Sample)

- h. Curb and Sidewalk at 1313 Nelson Avenue, a portion of Block 1136 (Edgar J. Cochren)
- i. Curb and sidewalk at 324 S. Emerald Avenue, a portion of Block 4117 (Adelle Brown)
- j. Curb and Sidewalk at 400 S. Emerald Avenue, a portion of Block 4117 (Miner E. Cole, Sr.)
- k. Curb and Sidewalk at 412 S. Emerald Avenue, a portion of Block 4117 (Ralph Ball)
- l. Sidewalk at 1225 Wellesley Avenue, Lot 18 of Block 6011 (Timothy P. McQuade)
- m. Curb along Brady Avenue at 414 Griswold Avenue, Lot 1 of Block 713 (Robert L. Combs)
- n. Sidewalk at 1221 Mills Avenue, a portion of Block 6010 (Bill S. Barr)
- o. Sidewalk at 1231 Mills Avenue, a portion of Block 6010 (Norma J. Jussell)
- p. Sidewalk along Wellesley Avenue at 1030 Ulrich Avenue, Lot 20 of Block 6011 (Gordon N. Keats)
- q. Sidewalk along Mills Avenue at 1008 Ulrich Avenue, Lot 1 of Block 6010 (Dalise Cassebarth)
- r. Sidewalk along I Street and 13th Street at 1217 I Street, Lots 13 through 16 of Block 93 (Rudy DeKleua)
- s. Sidewalk at 1015 8th Street, Lots 11 and 12 of Block 41 (Farmers Warehouse Co., Inc.)

(Informal requests were sent to property owners over 30 days ago. As the work has not been done, it is recommended the Superintendent of Streets be instructed to give notices to construct improvements. Resolution setting hearing needed.)

ACTION: Res. 89-1038 adopted (mcGrath/Irizarry, unan., Muratore and Patterson absent) setting hearing. (Clerk to handle)

CONSENT

32. Consider request for funding from the Stanislaus Symphony Orchestra regarding tour to Khmel'nitsky, U.S.S.R. (Memo with agenda. Motion referring request to the International Friendship Committee needed.)

ACTION: By motion, request referred to International Friendship Committee. (Manager to handle)

CONSENT

33. Consider approval of the final map of Copper Creek 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: Bright Development  
(The subdivision agreement has been signed and all fees paid. Copper Creek No. 2 is located east of Claus Road and north of Dry Creek. It contains 15.561 acres. Resolution approving the final map needed.)

ACTION: Res. 89-1039 adopted approving the final map. (Clerk to handle)

CONSENT

- 33A. Consider approval of the final map of Manchester 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. Owners: Lyon/Redev Associates  
(The subdivision agreement has been signed and all fees paid. Manchester Court is located on the south side of Standiford Avenue, west of Prescott Road. It contains 8.749 acres. Resolution approving the final map needed.)

ACTION: Res. 89-1040 adopted approving the final map. (Clerk to handle)

WRITTEN COMMUNICATIONS

34. Request from Tammy Streeter and Shelly Avila, representing the spirit squads of Thomas Downey High School, requesting financial assistance for their participation in the National Championships held in Dallas, Texas on December 27-30, 1989.

ACTION: By motion (Muratore/McGrath, unan., Patterson absent) request referred to Council Budget Committee for recommendation.  
(Finance to handle)

35. Letter from Hispanic Chamber of Commerce regarding the City of Modesto Investment Policy.

ACTION: By order of the Chair, staff directed to study the City's policy in light of new regulations. (Finance to handle)

CONSENT

36. Letter from Robert L. Lee, Principal, and Lynne Wright, Vice Principal of James Marshall School, requesting that a stop sign be installed on Sutter Street at Elsie.  
(Motion referring to staff for recommendation needed.)

ACTION: By motion, request referred to staff. (P/W to handle)

MISCELLANEOUS

Legislation

37. a. Staff recommends opposing HR 2991 (Hollings) - Provisions for 1990 Census
- b. President's Drug Bill supported, but reduction in funding was opposed.

(Memos with agenda. Motion accepting recommendation needed.)

ACTION: By motion (Muratore/Lang, unan., Patterson absent) recommendations approved. (Manager to handle)

38. 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 6:00 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 1:30 p.m., October 18, 1989, at City Hall, Modesto, California.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson, Mayor Whiteside

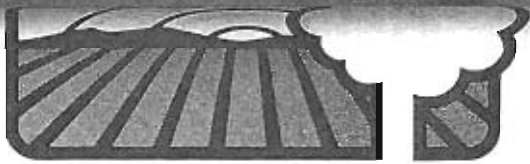
Absent: None

Councilmembers Irizarry, Lang, and McGrath met in the Council Office meeting room, and Councilmembers Muratore, Patterson, and Mayor Whiteside met in the Mayor's Office to interview candidates.

At 2:45 p.m., after the interviews were completed, the Mayor and Councilmembers met in the Mayor's Office and gave their lists of applicants they had each selected to attend a public forum on October 19. Five candidates appeared on at least three lists and are to be invited to the forum.

The meeting adjourned at 3:25 p.m. to October 19, 1989, at 7:00 p.m. in the Council Chambers for the public forum.

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., October 19, 1989, in the City Council Chambers at City Hall, Modesto, California, for a forum to interview applicants for the City Council vacancy.

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

Absent: Councilmember McGrath

Mayor Whiteside opened the meeting and explained the process to be followed.

Applicants were given an opportunity to make a five minute presentation concerning issues facing Modesto. This was followed by questions from the audience and City Council.

The meeting adjourned at 8:35 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 24, 1989, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Suthorh, Chanroeun, Lok Ta Phuum Prak, and Keo Nivoun,  
Cambodian Monks

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

ACTION: (Muratore/McGrath, 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

Cambodian citizens in Modesto presented \$2,020 to the Mayor and Councilmembers for relief of earthquake victims. Mayor Whiteside said the funds will be given to the Red Cross in the name of the Cambodian citizens.

MINUTES

CONSENT

2. Approval of the minutes of the special City Council meeting of October 16, 1989, the special and regular meetings of October 17, 1989, the special meeting of October 18, 1989, and the special meeting of October 19, 1989.  
(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 filling vacancy on the City Council.

ACTION: By motion (Patterson/Lang, majority, Muratore and Whiteside-no) it was determined that the vacancy would be filled by election.

Res. 89-1041 adopted (McGrath/Lang, majority, Whiteside-no) calling for election and consolidating with the January 30, 1990, Assembly General Election. (Clerk to handle)

CONSENT

- 5 Final adoption of the following:
- a. Ordinance No. 2684-C.S. amending the Modesto Municipal Code relating to the Building Code.
  - b. Ordinance No. 2685-C.S. amending the Modesto Municipal Code relating to the Mechanical Code.
  - c. Ordinance No. 2685-C.S. amending the Modesto Municipal Code relating to the Plumbing Code.

- d. Ordinance No. 2687-C.S. amending the Modesto Municipal Code relating to the Fire Code and Fire Districts.
- e. Ordinance No. 2688-C.S. amending the Modesto Municipal Code relating to the National Electrical Code.

(Motion adopting needed.)

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

### BIDS

#### CONSENT

- 6. Consider declaring Continental Landscaping and Biben's Nursery low bidders and approving agreements with the firms for furnishing landscape maintenance service at various City sites.  
(Memo with agenda. Two resolutions approving agreements with Continental Landscaping and Biben's Nursery needed. Estimated cost: \$42,832. Funds are budgeted.)

ACTION: Res. 89-1042 adopted awarding bid to Continental Landscaping.  
Res. 89-1043 adopted awarding bid to Biben's Nursery.  
(Finance to handle)

#### CONSENT

- 7. Consider declaring American Lumber Company low bidder and authorizing the purchase of tree stakes for the total price of \$5,909.  
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 89-1044 adopted awarding bid. (Finance to handle)

#### CONSENT

- 8. Consider declaring Pacific Nursery Pots, Inc., low bidder and authorizing the purchase of tree pots for the total price of \$5,883.  
(Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 89-1045 adopted awarding bid. (Finance to handle)

#### CONSENT

- 9. Consider declaring Wilson Trucking, Inc., low bidder and authorizing the purchase of sludge removal services at \$1.50 per yard with terms of 1%/30 days.  
(Memo with agenda. Resolution authorizing purchase needed. Estimated cost: \$35,838. Funds are budgeted.)

ACTION: Res. 89-1046 adopted awarding bid. (Finance to handle)

CONSENT

10. Consider authorizing purchase of seven light standards from Consolidated Electrical Distributors of Modesto for the total price of \$6,603.80. (Memo with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 89-1047 adopted awarding bid. (Finance to handle)

CONSENT

11. Consider waiving formal bid procedures and authorizing purchase of computer equipment from Chuck's Computers of Modesto for the total price of \$7,025.68. (Memo with agenda. Resolution authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-1048 adopted waiving formal bid procedure. (Finance to handle)

CONSENT

12. Consider award of contract for the Sisk and Pelandale water line extension to Joe Martin Pipeline, Inc., and consider approval of an appropriation transfer from the contingency reserve. (Bids were opened October 12, 1989. The low bid of \$55,330, submitted by Joe Martin Pipeline, is 1.86% 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 to Joe Martin Pipeline, and resolution approving appropriation transfer needed.)

ACTION: Res. 89-1049 adopted awarding contract.  
Res. 89-1050 adopted approving appropriation transfer. (P/W to handle)

CONSENT

13. Consider acceptance of Howell Construction's contract for the Crocker Building restroom remodel - Finance Department. Original contract: \$16,627. (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: \$17,696.50. Funds are budgeted.)

ACTION: Res. 89-1051 adopted accepting work as complete. (Clerk to handle)

NEW BUSINESS

CONSENT

14. Consider request for sewer service to property outside City limits at 1718 Eureka Street, located on the east side of Eureka Street, between Butte Avenue and Colusa Avenue. Owners: Juan R. and Elena Coronado (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. 89-1052 adopted approving agreement. (P/W to handle)

CONSENT

15. Consider authorizing City Manager to sign an agreement with the subdivider as required by Planning Commission Resolution No. 88-38 for the vesting tentative parcel map of property located on the east side of Crows Landing Road and south of Winmore Way. Subdivision - Union Pacific Railroad Company  
(Planning Commission Resolution No. 88-38 required a subdivision agreement to be executed providing financial guarantees for street trees and street improvements to City standards for the Glenn Avenue frontage and for one-quarter of the cost of the railroad crossing. The agreement has been signed by the subdivider and approved by the City Attorney's office. All fees have been paid. Resolution approving agreement needed.)

ACTION: Res. 89-1053 adopted approving agreement. (P/W to handle)

WRITTEN COMMUNICATIONS

CONSENT

16. Request by William F. King, on behalf of the Modesto JayCees and American Legion Post No. 74, for direct assistance with the annual Veterans Day parade on November 11, 1989.  
(The Chief of Police recommends approval. Resolution approving request needed.)

ACTION: Res. 89-1054 adopted approving request. (Police to handle)

17. Letter from Dick Clark concerning self-fueling at the Airport.

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

20.

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

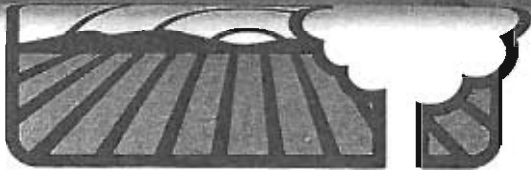
CLOSED SESSION

19. Closed session to consider pending litigation in accordance with Government Code Section 54956.9(c), and 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.

ADJOURNMENT

The meeting adjourned to closed session at 8:33 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk.



# MODESTO CITY COUNCIL

City Hall  
801 11th Street  
Modesto, California

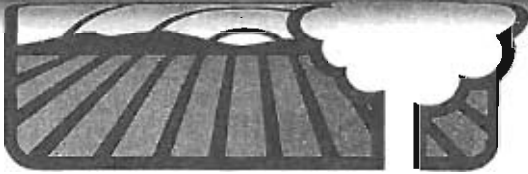
The Council of the City of Modesto met in a special session at 12:00 noon, October 30, 1989, in the Third Floor Conference Room, City Hall, Modesto, California, for interviews with Village 1 consultants.

Present: Councilmembers McGrath and Muratore

Absent: Councilmembers Irizarry, Lang, Patterson, Mayor Whiteside

The meeting was adjourned due to lack of a quorum.

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 7, 1989, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Dwight Horton, Free Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 10, 11, 12, 13, 14, 15,  
16, 18, 19, 21, 20, 22, 23, 24, 25,  
26, 27, 30, 31, 32, 33, 34,  
35, 37, 38, 39, 40, 44

Dropped from agenda: 17

Removed from consent: 28, 29, 36

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.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Whiteside reminded people to vote.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of October 24, 1989 and the special City Council meeting of October 30, 1989. (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 denying request by Stanislaus Symphony Orchestra for funding of their trip to the Soviet Union in December, 1989. (Memo with agenda. Motion denying request needed.)

ACTION: By motion (Lang/Patterson, unan.) \$2,500 was approved to be given to the International Friendship Committee for the Stanislaus Symphony Orchestra. (Deputy City Manager to handle)

CONSENT

5. Report on Capital Facilities Fees for temporary buildings. (Staff recommends that they remain exempt. Memo with agenda. Motion accepting report needed.)

ACTION: By motion, report accepted. (Planning to handle)

HEARINGS

6. Hearing to consider an amendment to Section 13-3-8 of the Zoning Map to rezone from R-1 to P-D(466), property located on the southeast corner of Rumble Road and Lou Ann Drive. (Sutco Construction)

ACTION: By motion (Muratore/McGrath, unan.) Ord. No. 2689-C.S. introduced. Res. 89-1055 adopted (same vote) approving the plan. Res. 89-1056 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

7. Hearing to consider an amendment to Section 23-3-9 of the Zoning Map to rezone from R-1 to R-2, property located on the north side of Scenic Drive east of Oakdale Road. (United Homes, Inc.)

ACTION: By motion (McGrath/Muratore, unan.) Ord. No. 2690-C.S. introduced.  
Res. 89-1057 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

8. Hearing to consider implementation of Stage 2 - Capital Facilities Fees to incorporate fees for streets, air quality, and public transit.  
(It is recommended that this hearing be continued to November 14, 1989, at 4:00 p.m.)

ACTION: A special joint meeting will be held with the Public projects Committee on November 14, 1989, 10:00 a.m. to discuss Capital Facilities Fees.

By motion (McGrath/Muratore, unan.) this hearing continued to November 21, 1989, at 4:00 p.m. (Clerk to handle)

#### BIDS

9. Report on receipt of written bids for sale of a surplus house at 2955 Lincoln Avenue in Dry Creek Park to be moved and oral bidding for the sale of a surplus house to be moved as required by Specification and Notice to Bidders approved by Council on October 3, 1989.  
(Memo with agenda. Resolution awarding bid needed.)

ACTION: Res. 89-1058 adopted (McGrath/Muratore, unan.) awarding bid to James M. Tocco for \$21,400. (Attorney to handle)

#### CONSENT

10. Consider approval of plans and specifications and call for bids for the Culpepper water line extension, and consider approval of appropriation transfer from the Water Contingency Reserve.  
(Suggested bid opening: November 30, 1989, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids and resolution approving appropriation transfer needed. Estimated cost: \$22,488 (contract \$18,740; eng. & cont. \$3,748).

ACTION: Res. 89-1059 adopted calling for bids.  
Res. 89-1060 adopted approving appropriation transfer.  
(P/W and Finance to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for the diversion structure - M.I.D. Lateral No. 2 at McClure Road.  
(Suggested bid opening: November 30, 1989, at 11:05 a.m. This project will make it possible to use M.I.D. irrigation water on the golf course and provide a spill from the canal into an existing storm drain line. Memo with agenda. Resolution approving plans and specifications and call for bids and resolution amending 1989-90 budget needed. Estimated cost: \$64,840 (contract \$56,390; eng. & cont. \$8,459).

ACTION: Res. 89-1061 adopted calling for bids.  
Res. 89-1062 adopted amending 1989-90 budget.  
(P/W and Finance to handle)

CONSENT

12. Consider approving specifications and authorizing call for bids to be opened December 4, 1989, at 11:00 a.m. for furnishing discing services.  
(Requested by the Parks and Recreation Department, the discing services will be performed at various City sites, as needed, on a cyclical basis. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$19,540, Funds are budgeted.)

ACTION: Res. 89-1063 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider award of contract for the Police parking lot (10th and "F" Streets) to Ragsdale and Son, Inc.  
(Bids were opened October 19, 1989. The low bid of \$23,407, submitted by Ragsdale & Son, Inc. is 15.98% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the project be awarded to Ragsdale and Son, Inc. Resolution awarding contract to Ragsdale and Son, Inc. needed. Funds are budgeted.)

ACTION: Res. 89-1064 adopted awarding contract. (P/W to handle)

CONSENT

14. Consider award of contract for the sewer and water line relocation at N. Madison Street and Linden Street.  
(Bids were opened October 26, 1989. This is the second time the project has been bid. The low bid of \$133,505.60, submitted by Rolfe Construction, is 18.26% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Rolfe Construction. Memo and bid tabulation with agenda. Resolution awarding contract to Rolfe Construction needed. Funds are budgeted.)

ACTION: Res. 89-1065 adopted awarding contract. (P/W to handle)

CONSENT

15. Consider declaring Northern Business Group low bidder and authorize the purchase of digester cleaning services for the total price of \$15,000. (Memorandum with agenda. Resolution awarding contract to Northern Business Group needed. Funds are budgeted.)

ACTION: Res. 89-1066 adopted awarding contract. (Finance to handle)

CONSENT

16. Consider declaring Montedoro-Whitney Corp. low bidder on and authorize the purchase of wastewater flow monitoring equipment for the total price of \$11,908. (Memorandum with agenda. Resolution awarding contract to Montedoro-Whitney Corp. needed. Funds are budgeted.)

ACTION: Res. 89-1067 adopted awarding contract. (Finance to handle)

CONSENT

17. Consider acceptance of Don Milner, Inc.'s contract for the chip sealing of the 9th Street Bridge. Original contract: \$75,607.37 (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 file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$75,512.62. Funds are budgeted.)

Dropped from agenda

CONSENT

18. Consider acceptance of Collins Electrical Company, Inc.'s contract for modifying traffic signals at six locations. (Original contract: \$69,900) (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 file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$70,535.) Funds are budgeted.)

ACTION: Res. 89-1068 adopted accepting as complete. (Clerk to handle)

CONSENT

19. Consider acceptance of Fence Systems, Inc.'s contract for McHenry Mansion masonry wall. (Original contract and final cost: \$10,500) (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 file the Notice of Completion. Resolution accepting work as complete needed. Funds are budgeted.)

ACTION: Res. 89-1069 adopted accepting as complete. (Clerk to handle)

CONSENT

20. Consider waiving formal bid procedures and authorize the purchase of computer equipment from Chuck's Computer's of Modesto for the total price of \$6,560.  
(Memo with agenda. The purchase will provide the Public Works Department with the capability to perform hydraulic analysis, computer-aided design engineering, and modeling for various designs. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-1070 adopted waiving formal bid procedures. (Clerk to handle)

NEW BUSINESS

CONSENT

21. Consider authorizing the purchase and installation of facilities to close off the City Hall basement garage from outside intrusion after working hours.  
(All outside access points to the basement garage are proposed to be equipped with nightly closure facilities to eliminate access of potential arsonists, etc. Memo with agenda. Resolution waiving formal bid procedures to do the work necessitated in safeguarding the garage facility needed (Five affirmative votes needed), and resolution amending the 1989-90 budget to provide financing for a new C.I.P. project needed.

ACTION: Res. 89-1071 adopted waiving formal bid procedures.  
Res. 89-1072 adopted amending 1989-90 budget.  
(P/W and Finance to handle)

CONSENT

22. Consider authorizing an agreement amendment for the 1989 Fuel Efficient Traffic Signal Management Program (FETSIM).  
(Memo with agenda. Caltrans has indicated they are willing to increase Modesto's 1989 FETSIM grant from \$100,000 to \$117,415. Resolution authorizing amendment to agreement needed. Estimated cost: \$157,153 (State - \$117,415; City - \$39,738). Funds are budgeted.)

ACTION: Res. 89-1073 adopted approving amended agreement. (P/W to handle)

CONSENT

23. Consider authorizing City Manager to formally enroll the City of Modesto in the Global Cities Project/Earth Day 1990 and authorize the expenditure of \$2,000 for membership fee.  
(Memo with agenda. Resolution authorizing enrollment and expenditure needed.)

ACTION: Res. 89-1074 adopted authorizing enrollment and expenditure. (Manager to handle)

CONSENT

24. Consider amending the 1989-90 budget to include a Capital Improvement Project to install yellow flashing beacons and to enhance school zone signage at Downey and Davis High Schools.  
(Memo with agenda. Enhanced school zone signage and yellow flashing beacons are proposed for Coffee Road and Tully Road at Downey and Davis High Schools. Resolution authorizing appropriation transfer needed.)

ACTION: Res. 89-1075 adopted approving appropriation transfer.  
(Finance to handle)

CONSENT

25. Consider approving an agreement with Alfred S. Pelucca for the lease of his property at F and 10th Streets.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-1076 adopted approving agreement. (Attorney to handle)

CONSENT

26. Consider approving amended agreement with West Air Airlines, dba United Express.  
(Memo with agenda. Resolution approving amended agreement needed.)

ACTION: Res. 89-1077 adopted approving amended agreement (Attorney to handle)

CONSENT

27. Consider modifying speed limit on Standiford Avenue  
(Memo with agenda. A radar-enforceable speed limit is proposed to be revised. Motion introducing ordinance amending the Modesto Municipal Code needed. Estimated cost: \$240. Funds are budgeted.)

ACTION: By motion, Ord. No. 2691-C.S. introduced. (Clerk to handle)

28. Consider accepting a Supplemental Federal Grant offer for the Water Quality Control Treatment Plant improvement project (Units 2 & 3).  
(The City has received a Supplemental Grant offer from the Environmental Protection Agency in the amount of \$741,755. Memo with agenda. Resolution accepting the Supplemental Grant offer and authorizing the City Manager to execute the offer on behalf of the City.)

ACTION: Res. 89-1078 adopted (Lang/Muratore, unan.) accepting grant offer.  
(P/W to handle)

29. Consider approving special public transit service to and from the Thanksgiving dinner at Modesto Centre Plaza.  
(Memo with agenda. Three IT buses would provide free transportation from three locations, and Dial-A-Ride would provide free transportation for elderly and handicapped persons attending the dinner. Motion approving special service needed. Estimated cost: \$500. Funds are budgeted.)

ACTION: By motion (Muratore/Irizarry, unan.) special service approved to anyone who wishes to use it. (P/W to handle)

CONSENT

30. Consider authorizing City Manager to sign reimbursement agreement with Phillip D. Overholtzer, Inc. for construction of storm drain basin modifications.  
(Shaker Estates subdivision is located on Whitmore Avenue, west of Crows Landing Road. The developer has requested permission to modify City's storm drain basin in order to reduce time delays. The Crows Landing storm drain basin is adjacent to developer's north property line. An agreement is needed to allow reimbursement for construction costs. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$40,736. Funds are budgeted.)

ACTION: Res. 89-1079 adopted approving agreement. (P/W to handle)

CONSENT

31. Consider authorizing the City Manager to sign an amendment to the agreement with Computil Corporation for the processing of parking citations.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-1080 adopted approving agreement. (Finance to handle)

CONSENT

32. Consider authorizing the City Manager to sign an application for \$292,545 in funding under the State Public Resources Account Program for Phase I development of Aqueduct Neighborhood Park.  
(Memo with agenda. Resolution authorizing City Manager to sign application needed.)

ACTION: Res. 89-1081 adopted approving application. (P/R to handle)

CONSENT

33. Consider approving agreement consenting to common use with M.I.D.  
(Memo with agenda. An agreement is needed at Roselle and Briggsmore for crossing M.I.D. Lateral No. 3. Resolution approving agreement needed.)

ACTION: Res. 89-1082 adopted approving agreement. (Attorney to handle)

CONSENT

34. Consider approval of the final map of Orangeburg Terrace 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: Vinson Chase, Inc.  
(The subdivision agreement has been signed and all fees paid. Orangeburg Terrace is located on the north side of East Orangeburg Avenue, west of Claus Road. It contains 3.101 acres. Resolution approving final map needed.)

ACTION: Res. 89-1083 adopted approving final map. (Clerk to handle)

CONSENT

35. Consider request for sewer service to property outside City limits at 131 Imperial Avenue, located on the north side of Imperial Avenue between Crows Landing Road and Seattle Street. Owner: Orly Bohorquez. (The property owner has signed an agreement to annex when requested to do so by City. The property is contiguous to City limits. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 89-1084 adopted approving agreement. (P/W to handle)

Councilmember Lang excused at 5:18 p.m.

36. Consider authorizing City Manager to sign an agreement with First Fidelity Realty Group, Inc. for repayment of canal crossing fees. (Owners will advance \$55,000 toward construction costs for the Roselle Avenue Canal Crossing at M.I.D. Lateral No. 3. Owners desire to have City construct the \$220,000 crossing to provide access to their property outside the City limits on the east side of Roselle Avenue at Merle. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$220,000 (\$110,000 City; \$55,000 City Canal Fees; \$55,000 reimbursement agreement. Funds are budgeted.) Councilmember McGrath excused out to a conflict of interest.

ACTION: Res. 89-1085 adopted (Patterson/Irizarry, unan., Lang and McGrath absent) approving agreement. (P/W to handle)

CONSENT

37. Consider approving agreements with ROMA Design Group and Economic and Planning Systems, Inc. for preparation of a specific plan, financing plan, EIR, and related studies for Village 1. (Memo with agenda. Resolutions approving agreements needed.)

ACTION: Res. 89-1086 adopted approving agreements with ROMA Design Group.  
Res. 89-1087 adopted approving agreement with Economic and Planning Systems, Inc. (Planning to handle)

CONSENT

38. Consider approving airport lease agreement with 911 Emergency Services, Inc., dba Escort Transportation Services. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-1088 adopted approving agreement. (Attorney to handle)

CONSENT

39. Consider sale of house on Dry Creek Golf Course project site at 535 N. Riverside to James E. and Susann A. Coleman. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-1089 adopted approving agreement. (Attorney to handle)

CONSENT

40. Consider approving offer of Joe DiAnna to harvest walnuts on former Scott properties (Dry Creek Golf Course Project).  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-1090 adopted approving agreement. (Attorney to handle)

WRITTEN COMMUNICATIONS

41. Letter from Warnella Faye Tennyson requesting City assistance for a one day concert known as "People for People: Rock and Roll Quake Relief," for a benefit to provide assistance to the victims of the recent earthquake.

ACTION: By order of the Chair, request referred to staff. (P/R to handle)

42. Letter from Steven Herum, Neumiller & Beardslee, representing landowners and others interested in the Claratina area of Modesto, requesting the City Council to rescind Res. No. 89-66 regarding annexation of the Claratina area.

Harold Hawn withdrew the request.

43. Letter from Dirk Scofield regarding the current City ordinance governing massage therapy.

ACTION: By order of the Chair, request referred to staff. (Police to handle)

CONSENT

44. Letter from Damrell, Damrell & Nelson, on behalf of National Medical Hospital of Modesto, Inc., appealing a decision of the Planning Commission concerning an application for a tentative parcel map to divide property located at the southwest corner of West Granger Avenue and Florida Avenue.  
(Resolution setting hearing November 21, 1989, at 4:00 p.m. needed.)

ACTION: Res. 89-1091 adopted setting hearing.

MISCELLANEOUS

Appointments

45. a. D.I.D.

ACTION: Res. 89-1092 adopted (Irizarry/Muratore, unan., Lang absent)  
reappointing Frank Ruggieri, Susan Hackett and Ralph Lozano to the D.I.D. Advisory Board. (Clerk to handle)

b. Modesto Youth Commission

ACTION: Res. 89-1093 adopted (McGrath/Muratore, unan., Lang absent)  
appointing students from the area High Schools to the Modesto Youth  
Commission (Shelli Pfeifle, Stephanie Gallo, Tara Dixon, Susan  
Rowland, Michelle Driver, Peter Caster, Windee Varton, Ernest Gallo,  
Barrett Cohn, Leon Schorr, Kimberly Hearing, and Ruben Villalobos)  
(Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

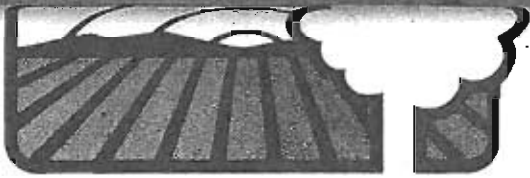
46. (These may be presented by members of the City Council and staff upon  
determination that an emergency exists, as defined by State law, or that  
the need to take action on the matter arose subsequent to the publishing  
of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 5:47 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

City Hall  
801 11th Street  
Modesto, California

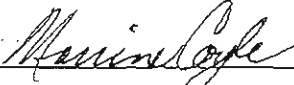
The Council of the City of Modesto met in a special session at 10:00 a.m., November 14, 1989, in the Fourth Floor Conference Room, City Hall, Modesto, California, for a study session.

Present: Councilmembers Irizarry, Lang, McGrath, Muratore, Patterson,  
Mayor Whiteside  
Councilmember Muratore arrived at 10:10 a.m.  
Councilmember Lang excused at 11:30 a.m.

Absent: None

After self-introductions, Dick Recht of Recht, Hausrath and Associates, discussed Stage 2 of the Capital Facilities Fees and responded to questions.

The meeting adjourned at 11:55 a.m.

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 7:00 p.m., November 14, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

Present: Councilmembers Irizarry, Lang, Muratore, Patterson,  
Mayor Whiteside  
Councilmember Patterson arrived at 7:04 p.m.

Absent: Councilmember McGrath

The meeting adjourned at 7:01 p.m. to closed session to consider pending litigation pursuant to Section 54956.9(c) of the Government Code.

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, NOVEMBER 14, 1989, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Dennis Kizziar, Modesto Covenant Church

A. Certification of canvass of votes at the November 7, 1989 election.

ACTION: Res. 89-1094 adopted (McGrath/Muratore, unan.) certifying canvass  
of votes. (Clerk to handle)

B. Oath of Office by newly-elected City Councilmembers and Modesto Board of  
Education Members..

Oath of Office administered to newly-elected Councilmembers Charles  
Bird, Richard Lang, Richard Patterson, and to newly-elected Modesto  
Board of Education members John Hollis, Frank Jeans, Paul Neumann, and  
Margaret Snyder.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 11, 12, 13, 14,  
18,19, 20, 21

Dropped from agenda: 15

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.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Presentation by Jacqui Davy, Assistant Manager of the California State Automobile Association.

A Special Citation Award for Pedestrian Safety was presented to Mayor Whiteside.

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of November 7, 1989.  
(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 County's Capital Facilities Fees.

UNFINISHED BUSINESS

4. Further consideration of request of Warnella Faye Tennyson for City assistance for a one day concert known as "People for People: Rock and Roll Quake Relief," for a benefit to provide assistance to the victims of the recent earthquake.  
(Referred to staff at November 7, 1989, City Council.)

ACTION: By motion (Muratore/Irizarry, unan.) recommendation not to allow free use of Modesto Centre Plaza was approved. (P/R to handle)

WPCC92

2

11-14-89

CONSENT

5. Consider request for financial assistance from Thomas Downey Varsity Cheerleaders.  
(Memo with agenda. Resolution approving request needed. Estimated cost: \$1,000. Funds are budgeted.)

ACTION: Res. 89-1095 adopted approving request. (Finance to handle)

CONSENT

6. Final adoption of the following:
- a. Ord. No. 2689-C.S. rezoning from R-1 to P-D(466), property located on the southeast corner of Rumble Road and Lou Ann Drive. (Ridge Sutter - Sutco Construction)
  - b. Ord. No. 2690-C.S. rezoning from R-1 to R-2, property located on the north side of Scenic Drive east of Oakdale Road. (United Homes, Inc.)
  - c. Ord. No. 2691-C.S. amending the Modesto Municipal Code relating to speed limits in the City of Modesto.  
(Motion adopting needed.)

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

HEARINGS

1. Hearing to confirm report of costs:
- a. Curb at 207 E. Coolidge Avenue, a portion of Block 200 (Thomas R. Perry - \$1,569.00)  
  
Paid - Dropped from agenda
  - b. Curb at 157 E. Coolidge Avenue, a portion of Block 200, (Modesto Imaging Center - \$1,088.00)  
  
Paid - Dropped from agenda
  - c. Sidewalk at 400 Winmore Avenue, Lot 5 of Block 9918 (David G. Pollart - \$335.00)  
  
Paid - Dropped from agenda
  - d. Curb at 161 E. Coolidge Avenue, a portion of Block 200 (Modesto Imaging Center - \$1,155.00)  
  
Paid - Dropped from agenda

- e. Sidewalk along Wellesley Avenue at 1031 W. Roseburg Avenue, a portion of Block 6011 (Asenath Seals - \$889.00)

Paid - Dropped from agenda

- f. Curb along E. Fairmont Avenue and Ila Way at 925 Ila way, a portion of Block 65 (Naomi H. Tucker Life Estate - \$2,959.00)

ACTION: Res. 89-1096 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

- g. Curb at 225 E. Fairmont Avenue, a portion of Block 651 (Georgia Adams - \$2,432.00)

ACTION: Res. 89-1097 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

- h. Curb at 128 E. Fairmont Avenue, a portion of Block 648 (Tangent Investment co. - \$1,413.00)

ACTION: Res. 89-1098 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

- i. Curb at 130 E. Fairmont Avenue, a portion of Block 648 (Tangent Investment Co. - \$1,199.00)

ACTION: Res. 89-1099 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

- j. Curb at 117 E. Fairmont Avenue, a portion of Block 651 (Jerry L. Hooper - \$1,270.00)

ACTION: Res. 89-1100 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

- k. Sidewalk at 1420 Teresa Street, Lot 28 of Block 6078 (Wendell L. Thompson - \$519.00)

ACTION: Res. 89-1101 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

- l. Sidewalk at 1400 Teresa Street, Lot 23 of Block 2078 (Michael Ballantyne - \$439.00)

ACTION: Res. 89-1102 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

- m. Curb and Sidewalk at 1531 Scenic Drive, a portion of Block 1022 (Charles K. White - \$1,485.12)

ACTION: Res. 89-1103 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

n. Curb at 140 Frances Avenue, a portion of Block 618 (Terrance P. Powell - \$1,229.00)

ACTION: Res. 89-1104 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

o. Curb and Sidewalk along Santa Cruz Avenue at 820 S. Santa Cruz Avenue, Lot 12 of Block 2071 (Vera L. Bauguess - \$2,336.00)

ACTION: Res. 89-1105 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

p. Curb and Sidewalk at 808 S. Santa Cruz Avenue, Lot 10 of Block 2071 (O.B. Broome - \$1,264.00)

ACTION: Res. 89-1106 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

q. Curb and Sidewalk at 2/13 Woodland Avenue, a portion of Block 5920 (Samuel G. Delgado - \$5,079.00)

ACTION: Res. 89-1107 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

r. Sidewalk along E. Rumble Road at 609 E. Rumble Road, a portion of Block 12315 (Steve K. Moore - \$789.00)

ACTION: Res. 89-1108 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

s. Sidewalk at 605 E. Rumble Road, a portion of Block 12315 (Larry Sweatman - \$819.00)

ACTION: Res. 89-1109 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

t. Curb and Sidewalk at 1322 E. Orangeburg Avenue, a portion of Block 1160 (Anna Louise McCoy - \$1,289.00)

ACTION: Res. 89-1110 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

u. Sidewalk at 1005 Ramona Avenue, Lot 10 of Block 638 (Mark O. Bogenrief - \$659.00)

ACTION: Res. 89-1111 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

- v. Curb and Sidewalk at 2555 Veneman Avenue, a portion of Block 13555 (Allen Root - \$2,899.00)

ACTION: Res. 89-1112 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

- w. Curb and Sidewalk at 2613 Veneman Avenue, a portion of Block 13555 (Wayne A. Jarboe - \$2,899.00)

ACTION: Res. 89-1113 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

- x. Curb and sidewalk at 2601 Veneman Avenue, a portion of Block 13555 (Bruce H. Hawkins - \$2,899.00) (To be paid over a 10-year period.)

ACTION: Res. 89-1114 adopted (Patterson/Muratore, unan.) confirming cost and determining method of payment. (Finance to handle)

8. Hearing regarding orders to construct curbs and/or sidewalks:

- a. Curb along E. Fairmont Avenue, at 935 Patricia Lane, a portion of Block 654 (Barbara A. Watson)
- b. Curb at 226 E. Fairmont Avenue, a portion of Block 645 (Arlene Donaldson)
- c. Curb at 234 E. Fairmont Avenue, a portion of Block 645 (Jean M. Tarabek)
- d. Curb at 232 E. Fairmont Avenue a portion of Block 645 (Lee J. Quinton)
- e. Curb along Melrose Avenue at 425-427 Corson avenue, a portion of Block 659 (Robert L. Crisp)
- f. Curb and Sidewalk at 1335 Nelson Avenue, a portion of Block 1136 (Terry Carson)
- g. Curb and Sidewalk along Nelson Avenue at 1305 Nelson Avenue, a portion of Block 1136 (Sandra C. Sample)
- h. Curb and Sidewalk at 1313 Nelson Avenue, a portion of Block 1136 (Edgar J. Cochren)
- i. Curb and sidewalk at 324 S. Emerald Avenue, a portion of Block 4117 (Adelle Brown)
- j. Curb and Sidewalk at 400 S. Emerald Avenue, a portion of Block 4117 (Miner E. Cole, Sr.)

- k. Curb and Sidewalk at 412 S. Emerald Avenue, a portion of Block 4117 (Ralph Ball)
- l. Sidewalk at 1225 Wellesley Avenue, Lot 18 of Block 6011 (Timothy P. McQuade)
- n. Sidewalk at 1221 Mills Avenue, a portion of Block 6010 (Bill S. Barr)
- o. Sidewalk at 1231 Mills Avenue, a portion of Block 6010 (Norma J. Jusell)
- p. Sidewalk along Wellesley Avenue at 1030 Ulrich Avenue, Lot 20 of Block 6011 (Gordon N. Keats)
- q. Sidewalk along Mills Avenue at 1008 Ulrich Avenue, Lot 1 of Block 6010 (Dalise Cassebarth)
- r. Sidewalk along I Street and 13th Street at 1217 I Street, Lots 13 through 16 of Block 93 (Rudy DeKleua)
- s. Sidewalk at 1015 8th Street, Lots 11 and 12 of Block 41 (Farmers Warehouse Co., Inc.)

ACTION: Res. 89-1115 adopted (Muratore/Irizarry, unan.) ordering to construct . (P/W to handle)

- m. Curb along Brady Avenue at 414 Griswold Avenue, Lot 1 of Block 713 (Robert L. Combs)  
Councilmember Muratore excused due to a conflict of interest.

ACTION: Res. 89-1116 adopted (Bird/Lang, unan., Muratore absent) ordering to construct. (P/W to handle)

- 9. Hearing to consider an amendment to Section 25-3-9 of the Zoning Map to rezone from R-1 to C-3 and R-3, property located on the north side of Yosemite Boulevard. (Mid-Valley Engineering/Resource Development)  
Councilmember Bird excused due to a potential conflict of interest.

ACTION: By motion (Lang/Muratore, unan., Bird absent) Ord. No. 2692-C.S. introduced.  
Res. 89-1117 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

- 10. Hearing to consider an amendment to Section 25-3-9 of the Zoning Map to rezone from R-1 to C-3, property located on the north side of Yosemite Boulevard east of McClure Road. (Mid-Valley Engineering/Resource Development)  
Councilmember Bird excused due to a potential conflict of interest.

ACTION: By motion (Lang/Muratore, unan., Bird absent) Ord. No. 2693-C.S. introduced.  
Res. 89-1118 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

CONSENT

11. Hearing to consider establishing an 80% capacity charge for industrial waste Biological Oxygen Demand (BOD) and Suspended Solids (SS).  
(Request that this item be dropped from the agenda. Motion dropping this hearing from the agenda needed.)

ACTION: By motion, this item was dropped from the agenda.

BIDS

CONSENT

12. Consider approving specifications and authorize call for bids to be opened December 18, 1989, at 11:00 a.m. for furnishing one 4-wheel front end loader.  
(Requested by Parks & Recreation, Tree Division, the loader will be used throughout the City for tree planting and removal. This is a replacement item. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$44,000. Funds are budgeted.)

ACTION: Res. 89-1119 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider approving specifications and authorize call for bids to be opened December 18, 1989, at 11:05 a.m. for furnishing one new skid-mounted gasoline-powered air compressor.  
(Requested by the Water Division, this unit will be mounted on the service vehicle and will operate various pneumatic tools for maintenance. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$8,900. Funds are budgeted.)

ACTION: Res. 89-1120 adopted calling for bids. (Finance to handle)

CONSENT

14. Consider authorizing the purchase of traffic signal repair parts from three vendors: Eagle Signal Controls, Econolite Control Products, and Traffic Parts, for the total cost of \$10,855.96.  
(Three resolutions authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 89-1121 adopted awarding bid to Eagle Signal Controls.  
Res. 89-1122 adopted awarding bid to Econolite Control Products.  
Res. 89-1123 adopted awarding bid to Traffic Parts.  
(P/W to handle)

WPCC92

11-14-89

CONSENT

15. Consider award of contract for the Roselle Avenue canal crossing at M.I.D. Lateral No. 3 to D. B. Construction, Inc., and consider amending budget to provide financing for the project.  
(Bids were opened November 2, 1989. The low bid of \$199,457.50, submitted by D. B. Construction, Inc., is 4.27% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the project be awarded to D. B. Construction. Resolution awarding contract, and resolution amending budget to provide an account for developer contribution to project needed. Estimated cost: Total - \$219,403.25 (contract - \$199,457.50; engr. & cont. - \$19,945.75). Funds are budgeted.)

Dropped from agenda.

NEW BUSINESS

16. Consider designation of voting delegate and alternate voting delegate for the League of California Cities Annual Conference in San Francisco scheduled for December 17 - 19, 1989.  
(Motion designating delegates needed.)

ACTION: By motion (Lang/Patterson, unan.) the Mayor and Vice Mayor were designated as voting delegate and alternate. (Clerk to handle)

17. Consider selection of consultant team for preparation of General Plan amendment and E.I.R. for the College West Neighborhood.  
(Staff recommends the hiring of Michael Clayton and Associates for the necessary work. Consultant and City staff time and expenses are to be paid by Resource Development, Inc., one of the property owners in the area. Resolution approving agreement with Resource Development, Inc., concerning payment of costs, and resolution approving agreement with Michael Clayton Association for preparation of amendment and E.I.R. needed. Estimated cost: \$100,000+.)  
Councilmember Bird excused due to a potential conflict of interest.

ACTION: Res. 89-1124 adopted (Muratore/Lang, unan., Bird absent) approving agreement with Resource Development Inc.  
Res. 89-1125 adopted (Muratore/Lang, unan., Bird absent) approving agreement with Michael Clayton Association, deleting "Task 10" in the October 16, 1989 letter from Michael Clayton.  
A motion to study the feasibility of maintaining the area as a business park failed to carry (Irizarry/Whiteside, Lang, Muratore, Patterson-no, Bird absent). (Attorney to handle)

CONSENT

18. Consider authorizing issuance of a Request for Proposals in order to select a "Broker of Record" for placement of City of Modesto insurance.  
(Memo with agenda. Resolution authorizing Request for Proposals needed.)

ACTION: Res. 89-1126 adopted authorizing Request for Proposals.  
(Attorney to handle)

CONSENT

19. Consider acceptance of improvements in Country Ranch No. 3 Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Bright Development. (Country Ranch No. 3 is located between Merle Avenue and M.I.D. Lateral No. 3, east of Oakdale Road. All improvements have been completed to the satisfaction of the Public Works Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 89-1127 adopted accepting as complete. (Clerk to handle)

CONSENT

20. Consider request for water service to property outside City limits at 2204-08 Crows Landing, located on the east side of Crows Landing Road between Flamingo Drive and Whitmore Avenue. (Owners: Matthew and Petra Janopaul 1974 Trust; Robert Normal Janopaul 1987 Trust; Richard Matlin Janopaul.) (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 the property. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 89-1128 adopted approving agreement. (P/W to handle)

MISCELLANEOUS

Legislation

CONSENT

21. Staff recommends opposing HR 3325 (Smith) Airport Courtesy Vehicles (Memo with agenda. Motion accepting staff recommendation needed.)

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

MATTERS TOO LATE FOR THE AGENDA

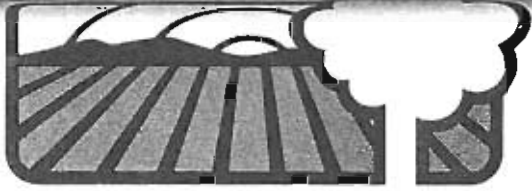
22. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

ADJOURNMENT

The meeting adjourned at 8:45 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE City Clerk



# MODESTO CITY COUNCIL

City Hall  
801 11th Street  
Modesto, California

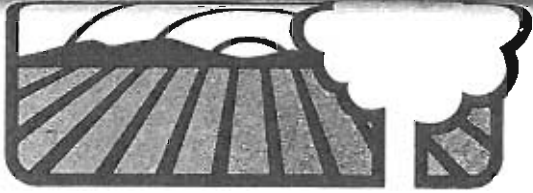
The Council of the City of Modesto met in a special session at 3:00 p.m., November 21, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

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

Absent: None

The meeting adjourned at 3:05 p.m. to a 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, NOVEMBER 21, 1989, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. James Anderson, Christian Love Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 12, 13, 14, 15,  
16, 17, 18, 21

Removed from consent: 19

ACTION: (Lang/Muratore, unan.)

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 4, 10  
COUNCILMEMBER BIRD EXCUSED DUE TO A  
POTENTIAL CONFLICT OF INTEREST

ACTION: (Lang/Irizarry, 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 two special City Council meetings of November 14, and the regular City Council meeting of November 14, 1989. (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 -- COUNCILMEMBER BIRD EXCUSED DUE TO A POTENTIAL CONFLICT OF INTEREST

4. Consider final adoption of:

- a. Ord. No. 2692-C.S. amending the Zoning Map to rezone from R-1 to C-3 and R-3, property located on the north side of Yosemite Boulevard, west of Claus Road. (Mid-Valley Engineering/Resource Development)
- b. Ord. No. 2693-C.S. amending the Zoning Map to rezone from R-1 to C-3, property located on the north side of Yosemite Boulevard, east of McClure Road. (Mid-Valley Engineering/Dry Creek Meadows)

(Motion adopting needed.)

ACTION: By motion (Lang/Irizarry, Bird absent) ordinances adopted. (Clerk to handle)

HEARINGS

5. Hearing to consider the appeal of Normoyle & Newman, on behalf of J.S. West Company to a decision of the Planning Commission concerning a tentative parcel map to divide property located at the west corner of Ninth Street and D Street owned by Southern Pacific Railroad. (Continued from October 17, 1989, City Council meeting.)

This item withdrawn by applicant.

ACTION: By motion (Muratore/Irizarry, unan.) receipt of request to withdraw this appeal acknowledged.

CONSENT

6. Hearing to consider designation of the following sites as City of Modesto Preservation sites:

- a. The Modesto Arch, built in 1911-12, 9th and I Streets
- b. The McHenry Museum, built as a library in 1912, 1401 I Street
- c. The McHenry Mansion, built in 1883, 906 15th Street  
(Continued from October 17, 1989, City Council meeting. It is recommended that this hearing be continued to December 5, 1989, at 4:00 p.m. Motion continuing hearing needed.)

ACTION: By motion, hearing continued to December 5, 1989, at 4:00 p.m.  
(Clerk to handle)

CONSENT

7. Hearing to consider an amendment to P-D(166) for addition of a retail store and a new development schedule, property on the northeast side of Sisk Road south of Sullivan Court. (Pratt Navarro Architecture)  
(This hearing was not necessary. Motion dropping hearing needed.)

ACTION: By motion, this hearing dropped.

8. Hearing to consider an amendment to P-D(330) to allow a shopping center on the southeast corner of Sisk Road and Pelandale Avenue. (National Investment Properties)

ACTION: By motion (Lang/Patterson, unan.) Ord. No. 2694-C.S. introduced. Res. 89-1129 adopted (Lang/Patterson, unan.), approving the project, but placing the funds required in condition #7 in trust with the understanding that the developer and County will meet. Res. 89-1130 adopted (Lang/Patterson, majority, Irizarry-no) approving the Planning Commission recommendation concerning driveways into the project. Res. 89-1131 adopted (Lang/Patterson, unan.) certifying review of Environmental Assessment. (Clerk/Planning to handle)

9. Hearing to consider implementation of Stage 2 - Capital Facilities Fees to incorporate fees for streets, air quality, and public transit.  
(Continued from 11-7-89 Council meeting.)

ACTION: By motion (Lang/Irizarry, majority, Bird and Patterson-no) Ord. No. 2695 C.S. introduced amending the Code sections concerning Capital Facilities Fees. Res. 89-1132 adopted (same vote) approving fees.  
(Clerk/Planning to handle)

10. Hearing to consider the appeal of Damrell, Damrell and Nelson, on behalf of National Medical Hospital of Modesto, Inc., to a Planning Commission decision concerning conditions of approval for an application for a tentative parcel map to divide property located on the southwest corner of West Granger Avenue and Florida Avenue.  
(It is recommended that this hearing be continued to December 12, 1989, at 7:30 p.m. Motion continuing hearing needed.)

ACTION: By motion, hearing continued to December 12, 1989, at 7:30 p.m.  
(Clerk to handle)

11. Hearing to consider annual fee adjustments for Building Inspection fees, documents, encroachment permits, land development, streets, water/sewer inspections and water/sewer funds.

ACTION: Res. 89-1133 adopted (Irizarry/Bird, unan.) fixing certain rates for supplying water and stand-by service to the County.

Res. 89-1134 adopted (same vote) establishing a sewer lateral connection fee.

Res. 89-1135 adopted (same vote) approving a fee schedule for dumping of septic waste at sewage treatment plant.

Res. 89-1136 adopted (same vote) adopting schedule of fees and charges for water service.

Res. 89-1137 adopted (same vote) adopting a fee in connection with maintenance of rockwells.

Res. 89-1138 adopted (same vote) establishing filing fees for subdivision and parcel maps.

Res. 89-1139 adopted (same vote) establishing fees and charges for copies of various maps and prints.

Res. 89-1140 adopted (same vote) establishing investigation and permit fees relating to moving buildings.

Res. 89-1141 adopted (same vote) establishing a sewer bond redemption charge and water connection charge inspection fees.

Res. 89-1142 adopted (same vote) establishing sign permit fees.

Res. 89-1143 adopted (same vote) establishing a fee for preparation of sewerline reimbursement agreements.

Res. 89-1144 adopted (same vote) establishing a building compliance inspection fee.

Res. 89-1145 adopted (same vote) adopting schedule of fees in connection with encroachment permits and inspections.

Res. 89-1146 adopted (same vote) establishing filing fees for special assessment district financing.

Res. 89-1147 adopted (same vote) establishing fees for issuance of annual permits for oversized or overloaded vehicles and for issuance of one trip permits.

Res. 89-1148 adopted (same vote) establishing filing fees for special assessment benefit districts for landscaping.

Res. 89-1149 adopted (same vote) allowing sale of electronic data and establishing a fee to be charged for sale of electronic data.  
(P/W to handle)

#### BIDS

##### CONSENT

12. Consider approving specifications and call for bids to be opened January 8, 1990, at 11:00 a.m., for furnishing two copy machines. (Requested by the Fire Department and Finance Department, these copy machines are replacements for machines that are currently too costly to maintain. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$8,965. Funds are budgeted.)

ACTION: Res. 89-1150 adopted calling for bids. (Finance to handle)

##### CONSENT

13. Consider approving specifications and Request for Proposals to be opened December 18, 1989, at 11:10 a.m. for furnishing professional services for appraisal of City of Modesto real estate. (Memo with agenda. Resolution approving specifications and requesting proposals needed. Estimated cost: \$7,500. Funds are budgeted.)

ACTION: Res. 89-1151 adopted calling for Request for Proposals. (Finance to handle)

##### CONSENT

14. Consider award of contract for the construction of traffic signals on Sylvan at Keller to Bowden Electric, Inc. (Bids were opened November 7, 1989. The low bid of \$68,880, submitted by Bowden Electric, Inc., is 13.9% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the project be awarded to Bowden Electric, Inc. Memo and bid tabulation with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 89-1152 adopted awarding contract. (P/W to handle)

#### NEW BUSINESS

CONSENT

15. Consider authorizing formation of a Joint Powers Authority with the Modesto Industrial Development Authority and appointment of bond counsel relating to airport expansion financing.  
(Memo with agenda. Resolution authorizing formation of a Joint Powers Authority and appointing bond counsel needed.)

ACTION: Res. 89-1153 adopted authorizing formation. (Atty/Finance to handle)

CONSENT

16. Consider amending contracts with various school districts for the collection of school site development fees.  
(Memo with agenda. Six resolutions amending contracts with various school districts needed.)

ACTION: Res. 89-1154 adopted amending contract with Empire Union School District.  
Res. 89-1155 adopted amending contract with Hart Ramsom Union School District.  
Res. 89-1156 adopted amending contract with Modesto City School District.  
Res. 89-1157 adopted amending contract with Salida Union School District.  
Res. 89-1158 adopted amending contract with Stanislaus Union School District.  
Res. 89-1159 adopted amending contract with Sylvan Union School District. (P/W to handle)

CONSENT

17. Presentation of monthly Treasurer's Report for October, 1989.  
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

18. Consider amending the budget to re-estimate revenues and appropriate two new C.I.P. projects.  
(The City has received funds from the developers of Fleur de Ville Subdivision for improvements to the sewer collection system and the treatment plant, as required by the September 12, 1989, agreement to provide sewer service to the development. Memo with agenda. Resolution amending the budget needed.)

ACTION: Res. 89-1160 adopted amending the budget. (Finance to handle)

19. Consider approving agreement with Southern Pacific Transportation Company for the purchase of land for the Transportation Center site.  
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$2,002,800 (land & improve. - \$1,997,800; est. escrow - \$5,000). Funds are budgeted.)  
Councilmember Bird excused due to a conflict of interest.

ACTION: Res. 89-1161 adopted (Muratore/Irizarry, unan., Bird absent) approving agreement. (Attorney to handle)

#### WRITTEN COMMUNICATIONS

20. Letter from Alex Klabanos, 3321 McHenry Avenue concerning a change in the sign on his property.

Mr. Klabanos has requested that this item be dropped from the agenda.

#### MISCELLANEOUS

##### Appointments

#### CONSENT

21. Consider designating Charles Bird as Vice Mayor for the ensuing year, in accordance with City of Modesto Charter Section 603.  
(Resolution designating Charles Bird as Vice Mayor needed.)

ACTION: Res. 89-1162 adopted designating Vice Mayor. (Clerk to handle)

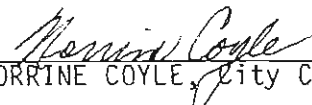
#### MATTERS TOO LATE FOR THE AGENDA

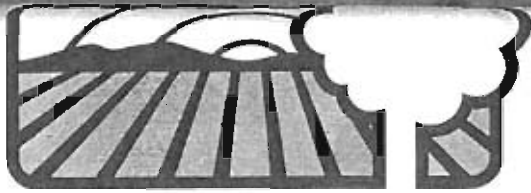
22. (These may be presented by members of the City Council and staff upon determination that an emergency exists, as defined by State law, or that the need to take action on the matter arose subsequent to the publishing of this agenda.)

None

#### ADJOURNMENT

The meeting adjourned at 5:11 p.m.

ATTEST:   
NORRINE COYLE, City Clerk



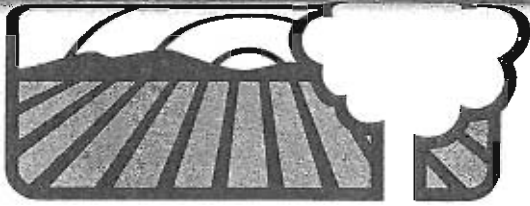
# MODESTO CITY COUNCIL

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 28, 1989, at 7:30 p.m.

## NOTICE

THERE WILL BE NO MEETING OF THE CITY COUNCIL  
ON TUESDAY, NOVEMBER 28, 1989  
DUE TO LACK OF A QUORUM.

THE NEXT CITY COUNCIL MEETING WILL BE HELD ON  
TUESDAY, DECEMBER 5, 1989,  
AT 4:00 p.m.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

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

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 5, 1989, 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, 4, 12, 13, 13, 15, 16, 17,  
18, 19, 20, 21, 22, 23, 24, 25, 26,  
28, 29, 31, 33

Removed from consent: 30

ACTION: (Irizarry/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.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Introduction of Vice-Mayor Ivan Didenko, Radomir Silin, Ivan Gavrilyak, and Vladimir Gorbatyuk, from Khmel'nitsky, Ukraine, U.S.S.R., who will be visiting Modesto for a week.

ACTION: John Bree introduced the visitors.

MINUTES

CONSENT

2. Approval of the minutes of the special City Council meeting of November 21, 1989, and the regular City Council meeting of November 21, 1989.  
(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 Ordinance No. 2694-C.S. amending P-D(330) to allow a shopping center on the southeast corner of Sisk Road and Pelandale Avenue. (National Investment Properties)  
(Motion adopting needed.)

ACTION: By motion, Ordinance No. 2694-C.S. adopted. (Clerk to handle)

HEARINGS

5. Hearing to consider designation of the following sites as City of Modesto Preservation sites (continued from October 17, and November 21, 1989, City Council meetings):

a. The McHenry Mansion, built in 1883, 906 15th Street

ACTION: Res. 89-1163 adopted (Muratore/Patterson, unan.) designating as Preservation site.

b. The McHenry Museum, built as a library in 1912, 1401 I Street

ACTION: Res. 89-1164 adopted (Muratore/Patterson, unan.) designating as Preservation site.

c. The Modesto Arch, built in 1911-12, 9th and I Streets

ACTION: Res. 89-1165 adopted (Muratore/Patterson, unan.) designated as Preservation site. (P/R to handle)

6. Hearing to consider establishing fees for Fire Prevention inspections including convault tank installation, dance permits, explosive permits, hood and duct system installation, medical gas system installation, spray booth installation, underground flammable/combustible storage tank, abandon/fill permits, and underground flammable/combustible storage tank installation or removal permits.

ACTION: Res. 89-1166 adopted (Lang/Bird, unan.) establishing fees. (Fire to handle)

7. Hearing to consider the appeal of Phillip D. Overholtzer to a Planning Commission decision concerning a request for a revised plot plan and time extension for Phase II of P-D(368) on Tully Road and West Roseburg Avenue.

ACTION: Res. 89-1167 adopted (Muratore/Patterson, unan.) granting appeal and approving plot plan.  
Res. 89-1168 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

8. Hearing to consider entering into an agreement with the Modesto Public Financing Authority for the purpose of providing financing for the construction of certain renovations to the City's existing main terminal building at the Modesto City-County Airport.  
Item 30 considered with Item 8.

ACTION: Res. 89-1169 adopted (Lang/Muratore, majority, Patterson-no) approving agreement. (Finance to handle)

9. Hearing to consider an amendment to Section 7-3-9 of the Zoning Map to rezone from R-3 and P-0 to P-0(467), property located on the west side of Tully Road, north of Standiford Avenue. (Lance Ellis)

This item dropped at the request of the applicant.

10. Hearing to consider an amendment to P-D(455), to allow an approved professional office complex to be developed as air-space condominiums, property located on the north side of Sylvan Avenue and east of Dragoo Park Drive. (Sylvan Drake Associates)

ACTION: By motion (Irizarry/Lang, unan.) Ord. No. 2696-C.S. introduced amending P-D(455)  
Res. 89-1170 adopted (same vote) approving amendment to P-D(455). (Clerk/Planning to handle)

11. 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)

ACTION: By motion 9Muratore/Bird, unan.) hearing continued to January 2, 1990, at 4:00 p.m. (Clerk to handle)

#### BIDS

##### CONSENT

12. Consider approving specifications and call for bids to be opened January 22, 1990, at 11:00 a.m. for furnishing two pickup trucks. (Requested by the Police Department, these new pickup trucks are for the Community Service Officers who have recently been hired. Resolution approving specifications and calling for bids needed. Estimated cost: \$24,000. Funds are budgeted.)

ACTION: Res. 89-1171 adopted calling for bids. (Finance to handle)

##### CONSENT

13. Consider award of contract for the Roselle Avenue canal crossing at M.I.D. Lateral No. 3 to D. B. Construction, Inc., and consider a budget amendment to provide financing for the project. (Bids were opened November 2, 1989. The low bid of \$199,457.50, submitted by D. B. Construction, Inc., is 4.26% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the project be awarded to D. B. Construction, Inc. Resolution awarding contract and resolution amending budget needed. Estimated cost: \$219,403.25 (contract - \$199,457.60; engr. & cont. - \$19,945.75). Funds are partially budgeted.)

ACTION: Res. 89-1172 adopted awarding contract.  
Res. 89-1173 adopted amending budget. (P/W and Finance to handle)

##### CONSENT

14. Consider acceptance of Scrimsher & Mineni's contract for the removal of existing bleachers and repair of concrete at Mancini Bowl. Original contract and final cost: \$17,500. (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. Funds are budgeted.)

ACTION: Res. 89-1174 adopted accepting as complete. (Clerk to handle)

CONSENT

15. Consider acceptance of George Reed, Inc.'s contract for 1989 street overlays. Original contract: \$418,888.  
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$432,072.66. Funds are budgeted.)

ACTION: Res. 89-1175 adopted accepting as complete. (Clerk to handle)

CONSENT

16. Consider acceptance of George Reed, Inc.'s contract for residential alley paving project No. 15. Original contract: \$138,888.08.  
(All work on this project has been completed to the satisfaction of the Public Works Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$138,891.08. Funds are budgeted.)

ACTION: Res. 89-1176 adopted accepting as complete. (Clerk to handle)

NEW BUSINESS

CONSENT

17. Consider approving lease agreement with C. J. Rumble and Sons, Inc., for Chrysler 99 #2 Park site.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 89-1177 adopted approving agreement. (Atty to handle)

CONSENT

18. Consider approval of one additional Assistant/Associate Civil Engineer position in the Water Division, to be filled at the Assistant Civil Engineer level.  
(Memo with agenda. Motion approving one Assistant/Associate Civil Engineer position in the Public Works and Transportation Department effective December 5, 1989, and resolution approving the transfer of funds from the Water Contingency Reserve to Salary and Benefits Accounts in the Water organization needed. Estimated cost: \$33,488.)

ACTION: By motion, position approved.  
Res. 89-1178 adopted approving transfer of funds.  
(Mgr/Finance to handle)

CONSENT

19. Consider approval of the final map of California Chardonnay Unit 1 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: Kaufman and Broad.  
(The subdivision agreement has been signed and all fees paid. California Chardonnay is located at the northeast corner of West Whitmore Avenue and Ustick Road. It contains 14.03 acres. Resolution approving final map needed.)

ACTION: Res. 89-1179 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider authorizing certain officers and employees to appear on behalf of the City in Stanislaus County Municipal Court, Small Claims Division. (Memo with agenda. Resolution authorizing certain City officers and employees to appear in Small Claims Court needed.)

ACTION: Res. 89-1180 adopted authorizing certain City officers and employees to appear in Small Claims Court. (Attorney to handle)

CONSENT

21. Consider Community Temporary Shelter Service (CTSS) application for Community Development Block Grant (CDGB) to assist homeless senior citizens.  
(Memo with agenda. Resolution amending the 1989-90 Final Statement of Community Development Objectives by approving a grant to Community Temporary Shelter Services for emergency shelter needs under the Community Development Block Grant Program needed. Estimated cost: \$2,500. Funds are budgeted.)

ACTION: Res. 89-1181 adopted amending the 1989-90 Final Statement of Community Development Objectives. (Finance to handle)

CONSENT

22. Consider revision to industrial service sewer charges.  
(Memo with agenda. Resolution revising industrial service sewer charges needed.)

ACTION: Res. 89-1182 adopted revising charges. (Finance to handle)

CONSENT

23. Consider authorizing the City Manager to sign an agreement with Recreational Systems, Inc., for the revision of working construction drawings and specifications for Floyd #2 Neighborhood Park.  
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$6,360. Funds are budgeted.)

ACTION: Res. 89-1183 adopted approving agreement. (P/R to handle)

CONSENT

24. Consider amending Section 4 of Council Resolution 88-792 regarding rates and conditions for play at Municipal golf courses to include Martin Luther King's Birthday, Admission Day, and the day after Thanksgiving as holidays, and to delete Christmas Day as a holiday.  
(Memo with agenda. Resolution amending Resolution 88-792 needed.)

ACTION: Res. 89-1184 adopted amending Res. 88-792. (P/R to handle)

CONSENT

25. Consider authorizing the City Manager to sign an agreement with Food Service Management for continued provision of food service at the Centre Plaza.  
(Food Service Management's contract expires on March 3, 1990. The proposed agreement will provide for continued food service until the Red Lion Inn takes over on April 1, 1990. Resolution approving agreement needed.)

ACTION: Res. 89-1185 adopted approving agreement. (P/R to handle)

CONSENT

26. Distribution of the City of Modesto's audited Comprehensive Annual Financial Report for the fiscal year ended June 30, 1989.  
(Memo with agenda. Copies of the report will be distributed at the meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, acknowledged receipt of report.

27. Consider entering into a joint powers agreement with cities in Stanislaus County relating to formal probation for Driving Under the Influence (DUI) convictions to provide a mechanism for a common legal claim.  
(Memo and copy of agreement with agenda. Resolution approving joint powers agreement needed.)

ACTION: Res. 89-1186 adopted (Lang/Muratore, unan.) approving agreement with negotiations to start immediately. (Manager to handle)

CONSENT

28. Consider billing policy for residential paving program.  
(Memo with agenda. Motion confirming billing policy needed.)

ACTION: By motion, confirmed billing policy (P/W to handle)

CONSENT

29. Consider amending the Annual Budget for 1989-90 to provide \$345,600 for the Airport terminal expansion project and approving disbursing \$345,600 to the Construction Account held by Bankers Trust Co.  
(Memo with agenda. Resolution amending budget and approving disbursing funds needed.)

ACTION: Res. 89-1187 adopted amending budget and approving disbursing funds. (Finance to handle)

30. Consider approving lease and lease back of Parkland with Modesto Public Financing Authority and authorizing execution of site lease, lease agreement, trust agreement, and approving Official Statement and sale of Certificates of Participation.  
(Memo with agenda. Resolution approving needed.)

Item 30 was considered in conjunction with item 8.

CONSENT

31. Considering authorizing issuance of bonds relating to acquisition/construction of Public Improvements (Improvement District #28) and authorize bond purchase contract and form of preliminary official statement and execution thereof.  
(Memo with agenda. Two resolutions approving needed.)

ACTION: Res. 89-1188 adopted authorizing issuance of bonds.  
Res. 89-1189 adopted authorizing bond purchase contract and form of preliminary official statement. (Finance to handle)

WRITTEN COMMUNICATIONS

32. Letter from Barbara Deatherage, Director of Development for Modesto Union Gospel Mission, requesting permission to use Graceada Park on December 15, 1989, for a "Sleepout 1989" fund-raiser.

ACTION: By motion (Irizarry/Muratore, unan.) request was approved with conditions recommended by staff. (P/R to handle)

CONSENT

33. Letter from R. J. Moriconi resigning from the Culture Commission and Landmark Preservation Commission.  
(Resolution accepting resignation with regret needed.)

ACTION: By motion, resignation accepted. (Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

34. (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 6:04 p.m. to Friday, December 8, 1989, at 3:00 p.m. in the Third Floor Conference Room, City Hall, 801 11th Street, Modesto, California, for a special study session regarding the Turlock Irrigation District Water Study.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

City Hall  
801 11th Street  
Modesto, California

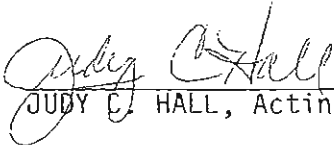
The Council of the City of Modesto met in an adjourned regular session at 3:00 p.m., December 8, 1989, in the Fourth Floor Conference Room, City Hall, Modesto, California, for a presentation by T.I.D. on the surface water study.

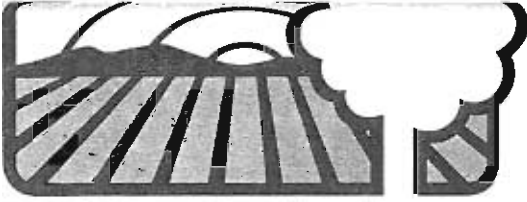
Present: Councilmembers Irizarry, Muratore, Patterson, Mayor Whiteside

(Councilmember Muratore arrived at 3:20 p.m. Mayor Whiteside left at 4:25 p.m.)

Absent: Councilmembers Bird and Lang

The meeting adjourned at 4:40 p.m.

  
\_\_\_\_\_  
JUDY C. HALL, Acting City Clerk



# MODESTO CITY COUNCIL

City Hall  
801 11th Street  
Modesto, California

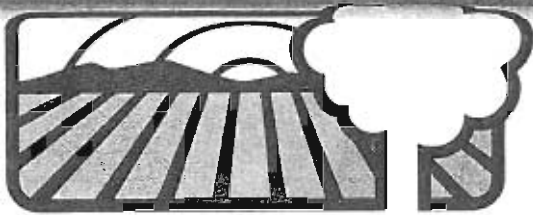
The Council of the City of Modesto met in a special session at 6:00 p.m., December 12, 1989, in the Council Chambers, City Hall, Modesto, California, for a closed session.

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

Absent: None

The meeting adjourned at 6:05 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, DECEMBER 12, 1989, AT 7:30 P.M.

Roll Call - Present: Councilmembers Bird, 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, 8, 13, 14, 15, 17, 18,  
19, 20, 22, 24, 26, 27,  
28, 29, 30

Dropped from agenda: 21

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.

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the regular City Council meeting of December 5, 1989.  
(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 the following:

- a. Funding "Modesto Fights Back!" for one year at \$75,575 and making the transfer from the General Reserve to the Office of the City Manager's 1989-90 fiscal year operating budget.
- b. Amending the Position Classification Plan to adopt the job description for Alcohol and Drug Abuse Prevention Planner.
- c. Amending Classification Range Tables to establish the salary at Range 431.

(Memo with agenda. Forward Modesto IV Follow-Up: Recommendation from Security and Law Enforcement Task Force: The City Council should push for further money for drug programs. Adoption of three resolutions needed.)

ACTION: A motion to approve the recommendations failed to carry (Lang/Whiteside, Bird, Irizarry and Patterson-no)

5. Progress report on acquisition of a neighborhood school and park site adjacent to the Alberta Martone attendance area and approval of year-round school for Alberta Martone Elementary School for 1990-91.  
(Memo with agenda. Motion accepting report and approving year round school needed.)

ACTION: By motion (Patterson/Bird, unan.) the recommendation to agree to a year-round calendar for Martone School for the 1990-91 school year was approved. Staff was requested to send to Councilmembers in 60-90 days, an update on the status of the acquisition.  
(P/R to handle)

6. Staff report on self-fueling and reaffirming the need for a self-fueling permit and collection of self-fueling fees.  
(Memo with agenda. Motion accepting report and reaffirming need for permit and fees.)

ACTION: By motion (Lang/Muratore, unan.) report accepted and need for permit and fees reaffirmed. (P/W to handle)

7. Final adoption of Ordinance No. 2695-C.S. amending the Modesto Municipal Code section relating to Capital Facilities Fees.  
(Motion adopting needed.)

ACTION: By motion (Lang/Muratore, majority, Bird and Patterson-no) Ord. No. 2695-C.S. adopted. (Clerk to handle)

#### CONSENT

8. Final adoption of Ordinance No. 2696-C.S. amending P-D(455) to allow air-space condominiums, north side of Sylvan Avenue, east of Drago Park Drive. (Sylvan Drake Associates)

ACTION: By motion, Ord. No. 2696-C.S. adopted. (Clerk to handle)

#### HEARINGS

9. Hearing to consider the appeal of Damrell, Damrell and Nelson, on behalf of National Medical Hospital of Modesto, Inc., to a Planning Commission decision concerning conditions of approval for an application for a tentative parcel map to divide property located on the southwest corner of West Granger Avenue and Florida Avenue. (Continued from November 21, 1989, City Council meeting.)  
Councilmember Bird excused due to a conflict of interest.

ACTION: Res. 89-1190 adopted (Lang/Patterson, unan., Bird absent) a compromise to improve only Granger and Florida abutting the new parcel be improved was approved. (Planning to handle)

10. Hearing to consider an amendment to Section 14-3-9 of the Zoning Map to rezone from R-3 Zone, to P-D(468), property located between Briggsmore Avenue west of Roselle Avenue, extended. (Florsheim Bros. & J. C. Williams Co.)

ACTION: By motion (Irizarry/Muratore, unan.) hearing continued to December 26, 1989, at 7:30 p.m. (Clerk to handle)

11. Hearing to consider the appeal of Lorenzo C. and Gertrude G. Nagal to a Board of Zoning Adjustment decision concerning an application for a variance from the side-street side-yard setback to allow encroachment of a six-foot high wall, metal storage building and patio cover, property located at 2200 Canadian Circle.

ACTION: Res. 89-1191 adopted (Lang/Patterson, unan.) denying the appeal and upholding the Board of Zoning Adjustment decision.  
(Planning to handle)

BIDS

12. Consider approving plans and specifications and call for bids for the Modesto 18-hole golf course.  
(Memo with agenda. Suggested bid opening: January 11, 1990, at 11:00 a.m. Resolution approving plans and specifications and calling for bids, and resolution certifying review of environmental assessment needed. Estimated cost: \$4,355,900.)

ACTION: Res. 89-1192 adopted (Muratore/Lang, unan.) calling for bids.  
Res. 89-1193 adopted (same vote) certifying review of environmental assessment.  
(P/R to handle)

CONSENT

13. Consider approving specifications and call for bids for furnishing dry chemical fertilizer.  
(Memo with agenda. Suggested bid opening: January 8, 1990, at 11:05 a.m. Requested by the Parks and Recreation Department, this turf fertilizer (47 tons) will be used at City parks sites, Tuolumne River Regional Park, and Muni and Dryden golf courses. Resolution approving specifications and calling for bids needed. Estimated cost: \$27,000. Funds are budgeted.)

ACTION: Res. 89-1194 adopted calling for bids. (Finance to handle)

CONSENT

14. Consider approving specifications and call for bids for furnishing a vactor truck.  
(Memo with agenda. Suggested bid opening: January 22, 1990, at 11:10 a.m. Requested by the Public Works and Transportation Department, this is a replacement unit. The truck is used for catch basin and sewer cleaning. Resolution approving specifications and calling for bids needed. Estimated cost: \$175,000. Funds are budgeted.)

ACTION: Res. 89-1195 adopted calling for bids. (Finance to handle)

CONSENT

15. Consider approving specifications and call for bids for furnishing two rebuilt diesel bus engines.  
(Memo with agenda. Suggested bid opening: January 8, 1990, at 11:10 a.m. Requested by the Public Works Service Division, the engines are needed to replace two City transit bus engines that are near the end of their serviceable life. Resolution approving specifications and calling for bids needed. Estimated cost: \$26,500. Funds are budgeted.)

ACTION: Res. 89-1196 adopted calling for bids. (Finance to handle)

16. Consider award of contract for the Modesto 18-Hole Golf Course diversion structure at M.I.D. Lateral No. 2 at McClure Road, and consider amending the budget with a loan from the General Fund.  
(Bids were opened November 30, 1989. The low bid of \$87,990, submitted by Cimarron Construction, is 56% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the project be awarded to Cimarron Construction. Memo and bid tabulation with agenda. Resolution awarding contract, and resolution amending the budget needed. Estimated cost: \$96,789 (contract - \$87,990; engr. & cont. - \$8,799) Funds are partially budgeted.)

ACTION: Res. 89-1197 adopted (Lang/Patterson, unan.) awarding contract.  
Res. 89-1198 adopted (same vote) amending the budget. (P/W to handle)

CONSENT

17. Consider award of contract for the Culpepper water line to Joe Martin Pipeline.  
(Bids were opened November 30, 1989. The low bid of \$17,740, submitted by Joe Martin Pipeline, Inc., is 5.34% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the project be awarded to Joe Martin Pipeline. Memo and bid tabulation with agenda. Resolution awarding contract needed. Estimated cost: \$19,514 (contract: \$17,740; eng. & cont. - \$1,774) Funds are budgeted.)

ACTION: Res. 89-1199 adopted awarding contract. (P/W to handle)

CONSENT

18. Consider award of contract for the Modesto Verde block wall construction to Thomaswall, Inc., and consider approving appropriating transfer.  
(Bids were opened September 28, 1989. The low bid of \$80,071, submitted by Thomaswall, Inc., is 16% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the project be awarded to Thomaswall. Memo and bid tabulation with agenda. Resolution awarding contract and resolution approving appropriation transfer needed. Estimated cost: \$88,078 (contract: \$80,071; eng. & cont. - \$8,007).

ACTION: Res. 89-1200 adopted awarding contract.  
Res. 89-1201 adopted approving appropriation transfer. (P/W and Finance to handle)

CONSENT

19. Consider waiving formal bid procedures and authorizing the purchase of twelve used vehicles from Golden Gate Auto Auction for a total cost not to exceed \$134,481.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-1202 adopted waiving formal bid procedures.  
(Finance to handle)

CONSENT

20. Consider waiving formal bid procedures and authorizing the purchase of mobile radios and data terminals from Motorola, Inc. for a total price of \$15,020.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-1203 adopted waiving formal bid procedures.  
(Finance to handle)

CONSENT

21. Consider waiving formal bid procedures and authorizing the purchase of furniture for the Airport expansion project, for a total price of \$67,513.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

Dropped from agenda.

CONSENT

22. Consider certifying the Negative Declaration of Environmental Impact for the Roselle Avenue Canal Crossing at Modesto Irrigation District Lateral No. 3.  
(The California Environmental Quality Act requires that all findings by the Environmental Assessment Committee be certified by the Council. Memo with agenda. Resolution certifying review of Environmental Assessment Committee needed.)

ACTION: Res. 89-1204 adopted certifying review of Environmental Assessment.  
(P/W to handle)

NEW BUSINESS

23. Report on financial status of the City.  
(Oral presentation will be made at the meeting based on the Comprehensive Annual Financial Report for Year Ended June 30, 1989. Copies of the report were distributed to Councilmembers at the December 5th Council meeting. No action necessary.)

ACTION: By motion (Patterson/Bird, unan.) deferred consideration of this report until the proper agenda.  
(Finance to handle)

CONSENT

24. Consider accepting grant funding from the California Department of Parks and Recreation for a grant for the Phase I Development of Aqueduct Neighborhood Park and authorizing the City Manager to sign a project agreement, and consider amending the budget and appropriating revenue to a new CIP Project. Memo with agenda. Resolution accepting grant and resolution amending budget needed.)

ACTION: Res. 89-1205 adopted accepting grant funding.  
Res. 89-1206 adopted amending budget. (P/R to handle)

CONSENT

26. Consider excusing Councilmembers Bird, Irizarry, Muratore and Patterson for being absent from the November 28, 1989, City Council meeting due to their attendance at the National League of Cities Conference. (Motion excusing absences needed.)

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

CONSENT

27. Consider acceptance of improvements in Dry Creek Bluff subdivision and authorize the City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: North Star Estates, Inc.  
(Dry Creek Bluff subdivision is located on the west side of N. McClure Road, south of Dry Creek Park. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 89-1207 adopted accepting improvements as complete.  
(Clerk to handle)

CONSENT

28. Consider acceptance of improvements in Pine Tree Village No. 2 subdivision and authorize the City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Horn Construction  
(Pine Tree Village No. 2 subdivision is located on the north of Robertson Road, and east of Marlow Street. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 89-1208 adopted accepting improvements as complete.  
(Clerk to handle)

CONSENT

29. Consider job description and salary range for Landscape Technician. (Memorandum with agenda. Resolution amending Position Classification Plan needed, and resolution amending the Class Range Tables needed.)

ACTION: Res. 89-1209 adopted amending Position Classification Plan.  
Res. 89-1210 adopted amending Class Range Tables. (Manager to handle)

CONSENT

30. Consider setting hearing December 26, 1989, at 7:30 p.m. for sign code text amendments, additions and deletions pertaining to decorative banners in certain commercial areas.  
(Resolution setting hearing needed.)

ACTION: Res. 89-1211 adopted setting hearing. (Clerk to handle)

WRITTEN COMMUNICATIONS

31. Letter from Peter G. Katsufakis regarding sewer lines broken by tree roots at 1210 Hawthorne Avenue.

ACTION: By motion (Lang/Bird, unan.) staff recommendation approved and staff requested for a report on City policy. (P/W 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.)

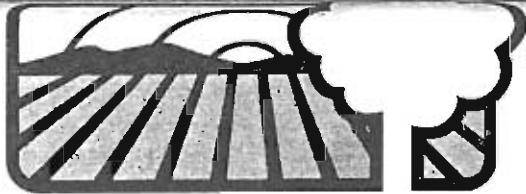
ACTION: By motion (Irizarry/Muratore, unan.) it was determined that the need to take action on this item arose too late for inclusion on the agenda.

By motion (Lang/Irizarry, unan.) it was agreed to work with the other cities in the County and with the County of Stanislaus on development and collection of impact fees. (Manager to handle)

ADJOURNMENT

The meeting adjourned at 11:10 p.m.

ATTEST:   
NORRINE COYLE, City Clerk



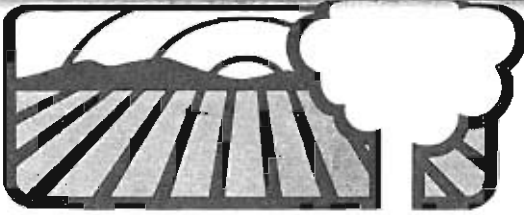
# MODESTO CITY COUNCIL

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 19, 1989, AT 4:00 P.M.

## NOTICE

THERE WILL BE NO MEETING OF THE CITY COUNCIL  
ON TUESDAY, DECEMBER 19, 1989  
DUE TO LACK OF A QUORUM.

THE NEXT CITY COUNCIL MEETING WILL BE HELD ON  
TUESDAY, DECEMBER 26, 1989,  
AT 7:30 P.M.



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

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

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 26, 1989, AT 7:30 P.M.

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

Councilmember Patterson arrived at 7:37 p.m.

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Rick Fritzemeier, Modesto Youth for Christ

CONSENT ITEMS - ROLL CALL VOICE REQUIRED: Items 2, 8, 9, 10, 12, 13, 14,  
15, 16, 17, 18, 19, 20, 21, 22,  
23, 24, 25, 26

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.

1.

ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the adjourned meeting of December 8, 1989, the special meeting of December 12, 1989, and the regular City Council meeting of December 12, 1989.  
(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.)

Ron Jourdenaise spoke.

HEARINGS

4. Hearing to consider an amendment to Section 14-3-9 of the Zoning Map to rezone from R-3 to P-D(468), property located between Merle and Briggsmore Avenue, west of Roselle Avenue, extended. (Florsheim Bros. & J.S. Williams Co.)  
(Continued from December 12, 1989, City Council meeting.)

ACTION: By motion, (Muratore/Bird, unan.) Ord. No. 269/-C.S. introduced.  
Res. 89-1212 adopted (same vote) approving development plan.  
Res. 89-1213 adopted (same vote) certifying review of environmental assessment.

(Clerk/Planning to handle)

5. Hearing to consider an amendment to Section 21-3-9 of the Zoning Map to rezone from R-1, to P-D(469), property located on the north side of Coolidge Avenue, west of Sunrise Avenue. (Said Akhzar)

ACTION: By motion, (Lang/Patterson, unan.) Ord. No. 2698-C.S. introduced.  
Res. 89-1214 adopted (same vote) approving development plan.  
Res. 89-1215 adopted (same vote) certifying review of environmental assessment.

(Clerk/Planning to handle)

6. Hearing to consider sign code text amendments, additions and deletions pertaining to decorative banners in certain commercial areas.

ACTION: By motion (Muratore/Irizarry, unan.) Ord. No. 2699-C.S. introduced.

(Clerk/Planning to handle)

7. Hearing to consider updating green fees and conditions of play at Dryden and Muni Golf Courses and to establish rates for the proposed new golf course.

ACTION: Res. 89-1216 adopted (Lang/Muratore, unan.) updating green fees and conditions of play.

(Finance/P & R to handle)

### BIDS

#### CONSENT

8. Consider approving specifications and authorize call for bids to be opened January 22, 1990, at 11:15 a.m. for furnishing one new truck cab and chassis.

(Requested by the Public Works Department, Service Division, the truck will be used by the Water Division for routine and emergency water service repairs throughout the City. This truck is replacing a 1966 Chevrolet truck model C-60. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$16,000. Funds are budgeted.)

ACTION: Res. 89-1217 adopted calling for bids.

(Finance to handle)

#### CONSENT

9. Consider approving specifications and authorize call for bids to be opened January 22, 1990, at 11:25 a.m. for furnishing annual tire recapping requirements.

(Requested by the Public Works Service Division, the recapping of City tires provides for extending useful tire life and reducing the need to purchase new tires. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$21,000. Funds are budgeted.)

ACTION: Res. 89-1218 adopted calling for bids.

(Finance to handle)

CONSENT

10. Consider approving specifications and authorize call for bids to be opened January 22, 1990, at 11:40 a.m. for furnishing gas detectors and accessories.

(Requested by Public Works Sewerage Division. The gas detectors are safety devices and are required to be used to detect toxic and explosive gases in street manholes and confined lift stations prior to working in these areas. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$15,505. Funds are budgeted.)

ACTION: Res. 89-1219 adopted calling for bids. (Finance to handle)

11. Consider award of contract for the Modesto City/County Airport terminal building expansion to Shan-Lyn Construction.

(Bids were opened November 2, 1989. The low bid of \$1,359,000, submitted by Shan-Lyn Construction, is 19.28% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Shan-Lyn Construction. Memo and bid tabulation with agenda. Estimated total cost: \$1,494,900 (contract \$1,359,000; eng. & cont. \$135,900). City portion of financing is to be provided by issuance of bonds through Modesto Public Financing Authority.)

ACTION: Res. 89-1220 adopted (Lang/Muratore, unan.) awarding bid.

(Finance/P/W to handle)

CONSENT

12. Consider accepting the bid of Fred S. James & Co. for professional real estate appraisal services to appraise City-owned property for the total cost of \$9,655.

(Memo with agenda. Resolution accepting the bid and authorizing the purchase of services needed. Funds are budgeted.)

ACTION: Res. 89-1221 adopted accepting bid. (Finance to handle)

CONSENT

13. Consider accepting the bid of Case Power and Equipment for one new four-wheel front end loader for the total price of \$42,951.56.

(Memorandum with agenda. Resolution accepting the bid and authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 89-1222 adopted accepting bid. (Finance to handle)

CONSENT

14. Consider accepting the bid of Silveira Custom Farming for discing services for the total cost of \$15,406.  
(Memorandum with agenda. Resolution accepting the bid and authorizing the purchase of services needed. Funds are budgeted.)

ACTION: Res. 89-1223 adopted accepting bid. (Finance to handle)

CONSENT

15. Consider waiving formal bid procedures and authorizing the purchase of furniture for the airport expansion project for the total cost of \$67,513.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-1224 adopted waiving bid procedures and authorizing purchase.  
(Finance to handle)

CONSENT

16. Consider waiving formal bid procedures and authorizing the purchase of computer equipment from Apple Computer, Inc. for the total cost of \$21,663.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 89-1225 adopted waiving bid procedures and authorizing purchase.  
(Finance to handle)

NEW BUSINESS

- 16A. Discussion of assistive listening devices for Modesto Centre Plaza, as requested by Councilmember Lang.

ACTION: By order of the Chair, staff requested to prepare a report for Council within the next four weeks. (P & R to handle)

CONSENT

17. Consider approving agreement with FRA Services, Inc. for assessment district administration services and approval of appropriation transfer to provide funding.  
(Memo with agenda. Resolution approving agreement and resolution approving appropriation transfer needed.)

ACTION: Res. 89-1226 adopted approving agreement.  
Res. 89-1227 adopted approving appropriation transfer.

(Finance to handle)

CONSENT

18. Consider approving appropriation transfer of \$3,531.07 from Contingency Reserve in the Special Fund for Capital Outlay (Fund No. 130) for payment of interest earnings to the William Lyons Company.  
(Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 89-1228 adopted approving appropriation transfer.

(Finance to handle)

CONSENT

19. Consider amending the Modesto Municipal Code relating to a sewer lateral charge to delete the specific fee rate and insert it in a resolution.  
(Memo with agenda. Introduction of an ordinance needed, and resolution setting forth the fees for sewer laterals needed.)

ACTION: By motion, Ord. No. 2700-C.S. introduced.  
Res. 89-1229 adopted setting forth fees. (Clerk/Finance to handle)

CONSENT

20. Monthly Treasurer's Report for November, 1989.  
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

21. Consider approval of the final map of The Marina 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: Hashem Naraghi and U.S. By-Products)  
The subdivision agreement has been signed and all fees paid. The Marina is located east of Marina Drive between Floyd Avenue and Hashem Drive. It contains 5.566 acres. Resolution approving final map needed.)

ACTION: Res. 89-1230 adopted approving final map. (Clerk to handle)

CONSENT

22. Consider approval of the final map of Nunes Farms 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: Golden Valley Capital Group Limited)  
The subdivision agreement has been signed and all fees paid. Nunes Farms is located east of Crippen Avenue and south of Rouse Avenue. It contains 7.718 acres. Resolution approving final map needed.)

ACTION: Res. 89-1231 adopted approving final map. (Clerk to handle)

CONSENT

23. Consider request for water service to property outside City limits at 1604 Kansas Avenue, located on the south side of Kansas Avenue between Carpenter and Rosemore. (Owner: Ann Varni)  
(The property owner has 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. 89-1232 adopted approving agreement. (PW & I to handle)

CONSENT

24. Consider request for sewer service to property outside City limits at 2512 Lemperate Avenue, located on the south side of Lemperate between Mercy and Yellowstone. (Owners: Ralph R. and Lucille F. Absher)  
(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. 89-1233 adopted approving agreement. (PW & T to handle)

CONSENT

25. Consider request for water service to property outside City limits at 2512 Lemperate Avenue, located on the south side of Lemperate between Mercy Avenue and Yellowstone. (Owners: Ralph R. and Lucille F. Absher)  
(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. 89-1234 adopted approving agreement. (PW & T to handle)

CONSENT

26. Consider request for water service to property outside City limits at 1236 Woodland Avenue, located on the south side of Woodland Avenue between N. Emerald Avenue and Carpenter Road. (Owner: Dorothy D. Ellis)  
(The property owner has 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. 89-1235 adopted approving agreement. (PW & T to handle)

MAIERS TOO LATE FOR THE AGENDA

- 2/. (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 9:14 p.m.

*Norrine Coyle*

NORRINE COYLE, City Clerk