

# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 7, 1986, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Tom Fincher, Grace Orthodox Presbyterian Church

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

ACTION: (Lang/Patterson, unan.)

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 Unless some member of the audience or Councilmember has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Council.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

### ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Suggestion Awards

\$50 - Doug Samski, Engineering Services employee for suggesting and building map roller-hanger in the Permits section of Engineering.

\$250 - John Harris, Utility Services employee for suggesting the City continue to manufacture a garden refuse implement of his design.

Mayor Mensinger presented the awards.

## MINUTES

### CONSENT

2. Approval of the minutes of the adjourned regular meeting of December 19, 1985, and the December 23, special City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## UNFINISHED BUSINESS

3. Further consideration of request of Mid-Valley Engineering to authorize private water supply well at 573 Crows Landing Road.  
(Action on this item was delayed by motion at the December 23, 1985 Council meeting.)

ACTION: Res. 86-1 adopted (Muratore/Lang, unan.) granting authority for a well for three years.

By motion (Muratore/Lang, unan.) staff directed to write a letter to the P.U.C. regarding the outdated 2% payback provision. (Eng. to handle)

### CONSENT

4. Final adoption of Ord. No. 2395-C.S. rezoning from P-D(202), to P-D(391) property located on the south side of West Rumble Road east of Sisk Road. (Richard W. Jones, Inc.)  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2395-C.S. adopted.

(Clerk to handle)

## BIDS

### CONSENT

5. Consider approving specifications and authorize call for bids to be opened January 28, 1986, at 3:00 p.m. for furnishing seven roof mounted air conditioning units.  
(Requested by the Service Division, these air conditioning units will be installed on seven Case Loaders used by the Street Cleaning Division. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$14,000; funds are budgeted.)

ACTION: Res. 86-2 adopted calling for bids.

(Finance to handle)

### CONSENT

6. Consider calling for bids for the sale of five parcels of excess land.  
(Memo with agenda. Suggested bid opening: March 4, 1986, at 11:00 a.m. Resolution approving specifications and Notice to Bidders and calling for bids needed.)

ACTION: Res. 86-3 adopted calling for bids.

(Utility Services to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for curb, gutter and sidewalk installation on Scenic Drive.  
(Suggested bid opening: January 28, 1986, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$32,452 (contract \$28,722; engineering & cont. \$3,740); funds are budgeted.)

ACTION: Res. 86-4 adopted calling for bids. (Eng. to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for extension of water and sewer lines in Prescott Avenue. Suggested bid opening: January 28, 1986, at 11:00 a.m. needed. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$150,825 (contract \$133,932; engineering & cont. \$16,893); funds are budgeted.)

ACTION: Res. 86-5 adopted calling for bids. (Eng. to handle)

HEARINGS

9. Hearing to consider annual review of garbage rates and adjustments in service charges. (Continued from December 17, 1985, meeting.)

ACTION: Res. 86-6 adopted (Lang/Sutton, unan.) approving rates as recommended. (Finance to handle)

10. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

None

NEW BUSINESS

11. Funding of traffic signals on Oakdale Road at Floyd Avenue.  
(The Planning Commission recommends completion of the Circulation Element precede the installation of traffic signals necessitating funding from other than FAU sources. Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Whiteside/Sutton, unan.) recommendation to transfer the funds to another project approved. (Planning to handle)

CONSENT

12. Consider introduction of an ordinance to amend the Modesto Municipal Code relating to street trees.  
(Staff has reviewed and recommended revision to the Street Tree Ordinance. Memo with agenda. Motion introducing ordinance needed.)

ACTION: By motion, Ord. No. 2398-C.S. introduced. (Clerk to handle)

CONSENT

13. Consider amendment to Section 10-1.201 of the Modesto Municipal Code to expand the Board of Zoning Adjustment from five to seven members. (Memo with agenda. Seven members will make it easier to achieve quorums. Motion introducing ordinance needed.)

ACTION: By motion, Ord. No. 2399-C.S. introduced. (Clerk to handle)

CONSENT

14. Authorize deferring Orchard Drainage Area Fees on three parcels located on Merle Avenue between Lincoln Oak Drive and Roselle Avenue. (Memo with agenda. Resolution authorizing deferment of Orchard Drainage Area Fees needed.)

ACTION: Res. 86-7 adopted authorizing deferment of fees. (Eng. to handle)

MISCELLANEOUS

CONSENT

15. Legislation: Staff recommends supporting SB 876 (Russell) - Ban on "Happy Hours." (Memo and attachment with agenda. Motion accepting staff recommendation needed.)

ACTION: By motion, staff recommendations approved. (Mgmt. Serv. to handle)

16. Appointments

None

17.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 5:40 p.m. to Thursday, January 9, 1986, at 6:30 p.m. in the Multipurpose Room on the Court Floor of City Hall for a joint City Council/Planning Commission dinner, and then will adjourn to the City Hall Fourth Floor Conference Room to discuss items of mutual interest.

ATTEST:   
NORRINE COYLE, City Clerk



## MODESTO CITY COUNCIL

Adjourned Regular Meeting  
Modesto City Council  
January 9, 1986


The Council of the City of Modesto met pursuant to adjournment at 6:30 p.m. in the Multipurpose Room, and then adjourned to the Fourth Floor Conference Room in the City Hall at 801 Eleventh Street, Modesto, California.

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

Absent: None

The City Council met with the Planning Commission to discuss items of mutual concern and interest.

The meeting adjourned at 10:00 p.m.

  
Garth Lipsky  
Acting City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 14, 1986, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Larry Duncan, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 8, 9, 10, 11, 12, 15  
16, 17, 18

ACTION: (Whiteside/Sutton, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

### MINUTES

CONSENT

2. Approval of the minutes of the January 7, 1986, regular City Council meeting.  
(Motion approving needed.)

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

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2396-C.S. amending Section 3-2.1401.1 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code relating to speed limits in the City of Modesto.
- b. Ord. No. 2398-C.S. amending Sections 12-5.01, 12-5.02, 12-5.03, 12-5.04, 12-5.05, 12-5.06, 12-5.08 and 12-5.09 of Chapter 5 of Title XII of the Modesto Municipal Code relating to street trees.
- c. Ord. No. 2399-C.S. amending Section 10-1.201 of Article 2 of Chapter 1 of Title X of the Modesto Municipal Code relating to the Board of Zoning Adjustment.

(Motion adopting needed.)

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

4. Final adoption of Ord. No. 2397-C.S. amending Section 3-2.1401.1 of Article 14 of Chapter 2 of Title III of the Modesto Municipal Code relating to speed limits in the City of Modesto.  
(Motion adopting needed.)

ACTION: By motion (Lang/Whiteside, majority, McGrath and Patterson-no) Ordinance No. 2397-C.S. adopted. (Clerk to handle)

HEARINGS

5. Hearing to consider objections or protests to requirements to construct curbs and/or sidewalks at the following locations:

- a. Sidewalk along Rosina Avenue at 302 Rosina Avenue, a portion of Block 2031 (Richard Arevalo)
- b. Sidewalk along Rosina Avenue at 1705 Miller Avenue, Lot 7 of Block 2132-A (Michael Delfley, Jr.)
- c. Sidewalk at 207 and 211 Rosina Avenue, Lots 4 and 5 of Block 2132 (Rose K. Martin)
- d. Curb and sidewalk along Conejo Avenue at 306 Conejo Avenue, a portion of Block 2184-A (E. Curtis Camp)

ACTION: By motion (Lang/Sutton, unan.) this item deferred until further information can be obtained.

- e. Sidewalk at 305 Conejo Avenue, Lot 12 of Block 2159 (William Haye)

- f. Sidewalk along Conejo Avenue at 204 Conejo Avenue, a portion of Block 2184 (Daniel R. Lamb)
- g. Sidewalk along Pearl Street at 1444 Del Vale Avenue, Lot 28 of Block 6080 (S. Dean Clark)  
(Work completed - drop from agenda.)

ACTION: Res. 86-8 adopted (Lang/Sutton, unan.) ordering the work of construction except for items d and g. (Eng to handle)

- 6. Hearing to consider costs of Residential Alley Resurfacing - Project No. 12.

BLOCK 548                      MAGNOLIA AVE./ELMWOOD AVE.--ALICE ST./WRIGHT ST.

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
a. Dawson L. and Marilyn Wright	14, 15 & 16	\$362.61

ACTION: Res. 86-9 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

b. Ronald A. and Doreen J. Goldman	11, 12 & 13	362.61
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ACTION: Res. 86-10 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

c. William and Mary Jane Ernoehazy (Paid - dropped from agenda.)	9 & 10	241.75
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d. Edith C. Kephart	7 & 8	241.75
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ACTION: Res. 86-11 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

e. George M. and Edna Dias	5 & 6	241.75
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ACTION: Res. 86-12 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

f. Otto and Frida K. Riedmiller	3 & 4	241.75
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ACTION: Res. 86-13 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

g. Hunter S. Creasman	1 & 2	241.75
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ACTION: Res. 86-14 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection. (Finance to handle)

h. Dennis W. and Terry M. Perry 31 & 32 241.75

ACTION: Res. 86-15 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

i. David K. and Linda H. Winsemius 29 & 30 241.75

ACTION: Res. 86-16 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

j. William V. and Sue E. King 27 & 28 241.75

ACTION: Res. 86-17 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

k. Alma Badenhausen 25 & 26 241.75  
(Paid - dropped from agenda.)

l. Ruth M. Pine 23 & 24 241.75

ACTION: Res. 86-18 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

m. Pearl Hansen 21 & 22 241.75  
(Paid - dropped from agenda.)

n. Ronson F. Wong 19 & 20 241.75  
(Paid - dropped from agenda.)

o. Victor G. and Sara Ann Mattox 17 & 18 241.75

ACTION: Res. 86-19 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

BLOCK 1175 LORRY AVE./KENT WAY--E. COOLIDGE AVE./E. ORANGEBURG

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
a. Penny Silveria	15	\$364.16

ACTION: Res. 86-20 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

b. Harry M. and Jane M. Changnon (Paid - dropped from agenda)	16	363.96
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c. Virgil F. and Delores R. Heffner (Paid - dropped from agenda)	17	363.96
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d. Vincent A. and Pierina G. Filippi 18 380.25

ACTION: Res. 86-21 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

e. Andrew H. Cypert 4 354.13

ACTION: Res. 86-22 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

f. Harvey C. and Hazel M. Newnam 3 354.13  
(Paid - dropped from agenda.)

g. Lorain R. and Elizabeth Dunn 2 354.13  
(Paid - dropped from agenda)

h. Lamon Wright 1 409.95

ACTION: Res. 86-23 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

BLOCK 2088 ROWLAND AVE./COVENA AVE.--HADDON AVE./MILLER AVE.

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
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a. Don Pace	7 & 8	\$399.79
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ACTION: Res. 86-24 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

b. Leonard C. and Pauline Bowers	6	241.75
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ACTION: Res. 86-25 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

c. Marguerite and Donald L. Chandon (Paid - dropped from agenda.)	5	241.75
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d. Sydney R. and Viola Fern Welch (Paid - dropped from agenda.)	4	241.75
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e. Robert R. and Mary Jo Casella	3	241.75
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ACTION: Res. 86-26 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

f. Billie C. Jones	2	241.75
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ACTION: Res. 86-27 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

g. Elmer A. Kirkle 1 241.75

ACTION: Res. 86-28 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

h. Robert L. and Judy M. A. Crisp Por. 483.49

ACTION: Res. 86-29 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

i. Kenneth L. and Barbara J. Sly 11 241.75

ACTION: Res. 86-30 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

j. Isabel F. Wadsworth Por. 251.41  
(Paid - dropped from agenda.)

k. Gary E. and Janine B. Dull Por. 290.09

ACTION: Res. 86-31 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

l. Dennis L. Shaeffer Por. 314.27

ACTION: Res. 86-32 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

m. Rhodes Tempest Por. 269.40  
(Paid - dropped from agenda.)

BLOCK 6017 W. ROSEBURG AVE./CHERRYWOOD AVE./--KEARNEY AVE./DEL REY AVE,

Property Owner Lot Contract Cost

a. John L. and Patricia Zamora 7 \$329.97

ACTION: Res. 86-33 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

b. Lee Henry 6 325.29

ACTION: Res. 86-34 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

c. Burnell L. Hambleton Por. 310.50

ACTION: Res. 86-35 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

d.	Arden W. and Karen L. Ohl Paid - dropped from agenda.	Por.	340.07
e.	Patricia A. Ruttan	3	330.22
<u>ACTION:</u> Res. 86-36 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)			
f.	Robert A. Brown	2	616.07
<u>ACTION:</u> Res. 86-37 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)			
g.	Russell B. and Eunice G. De Freest (Paid - dropped from agenda.)	1	98.57
h.	Robert C. Banks (Paid - dropped from agenda)	14	335.14
i.	Blanche L. Heiny (Paid - dropped from agenda.)	13	335.14
j.	James H. Hanchett	12	332.68
<u>ACTION:</u> Res. 86-38 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)			
k.	Howard R. Brundage	11	332.68
<u>ACTION:</u> Res. 86-39 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)			
l.	Adena E. Gervasoni (Paid - dropped from agenda.)	10	332.68
m.	Agnes J. Picha	9	335.14
<u>ACTION:</u> Res. 86-40 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)			
n.	Lewis Arlin and Genevieve Ellis (Paid - dropped from agenda)	8	345.25
o.	Hobart D. Blair (Paid - dropped from agenda.)	16	188.08
p.	Dan Balestrini (Paid - dropped from agenda.)	15	374.57

BLOCK 6804 BRIGGSMORE AVE./LA VILLA ROSE--SHERWOOD AVE./ENSLIN

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
a. E. R. and Ruby A. Johnson (Paid - dropped from agenda.)	18	\$513.17
b. Martin L. and Merle F. Schueller (Paid - dropped from agenda.)	19	488.32
c. Charlotte Antoinette Sweet (Paid - dropped from agenda.)	20	338.45
d. Valmora P. and Irma Barbara Johnson	21	338.45
<u>ACTION:</u> Res. 86-41 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
e. Meredith L. Snedigar (Paid - dropped from agenda.)	22	364.60
f. H. Russell and Mabel L. Briggs	23	348.79
<u>ACTION:</u> Res. 86-42 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
g. H. Russell Briggs	24	338.45
<u>ACTION:</u> Res. 86-43 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
h. Bertha Armstrong (Paid - dropped from agenda.)	25	338.45
i. Clarence A. and Ruth M. Weaver	26	338.45
<u>ACTION:</u> Res. 86-44 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
j. Joseph A. and Norma B. Gaska (Paid - dropped from agenda.)	27	338.45
k. Elmer L. and Fay H. Ballard (Paid - dropped from agenda.)	28	339.12

BLOCK 6806 LA VILLA ROSE/SHERWOOD AVE.--LA VILLA ROSE/LA VILLA ROSE

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
a. Samuel Chafkin (Paid - dropped from agenda.)	1	\$389.30

- b. W. O. Clapp, Jr. 2 348.12  
ACTION: Res. 86-45 adopted (Muratore/Patterson, unan.) confirming report,  
 assessing costs and directing method of collection.(Finance to handle)
- c. Donald L. Hedgepeth 3 348.12  
ACTION: Res. 86-46 adopted (Muratore/Patterson, unan.) confirming report,  
 assessing costs and directing method of collection.(Finance to handle)
- d. William M. and Garnetta L. Rackley 4 348.12  
ACTION: Res. 86-47 adopted (Muratore/Patterson, unan.) confirming report,  
 assessing costs and directing method of collection.(Finance to handle)
- e. Norbert J. and Celeste Arendt 5 348.12  
ACTION: Res. 86-48 adopted (Muratore/Patterson, unan.) confirming report,  
 assessing costs and directing method of collection.(Finance to handle)
- f. Laura L. Simms 6 348.12  
ACTION: Res. 86-49 adopted (Muratore/Patterson, unan.) confirming report,  
 assessing costs and directing method of collection.(Finance to handle)
- g. Sylvester N. Taylor 7 348.12  
 (Paid - dropped from agenda.)
- h. Daniel and Treva Lageson 8 348.12  
ACTION: Res. 86-50 adopted (Muratore/Patterson, unan.) confirming report,  
 assessing costs and directing method of collection.(Finance to handle)
- i. Nora M. Ferguson 9 348.12  
ACTION: Res. 86-51 adopted (Muratore/Patterson, unan.) confirming report,  
 assessing costs and directing method of collection.(Finance to handle)
- j. Darrell L. and Carla J. Kootstra 10 348.12  
ACTION: Res. 86-52 adopted (Muratore/Patterson, unan.) confirming report,  
 assessing costs and directing method of collection.(Finance to handle)
- k. Grant E. Arnold 11 348.12  
 (Paid - dropped from agenda)
- l. Harold Jerome and Margaret K. Santos 12 384.27  
ACTION: Res. 86-53 adopted (Muratore/Patterson, unan.) confirming report,  
 assessing costs and directing method of collection.(Finance to handle)

BLOCK 6806 (Cont.) LA VILLA ROSE/SHERWOOD AVE.--LA VILLA ROSE/LA VILLA ROSE

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
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m. Ronald C. and Cecilia A. Roberts	13	\$388.97
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ACTION: Res. 86-54 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

n. Eugene H. and J. Anita Mould	14	348.12
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ACTION: Res. 86-55 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

o. Irene Bonner	15	348.12
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ACTION: Res. 86-56 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

p. Roland D. Moore	Por.	522.17
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ACTION: Res. 86-57 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

q. Dr. Y. P. Sun	Por.	522.17
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ACTION: Res. 86-58 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

r. Anthony S. and Waneta Locono	19	348.12
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ACTION: Res. 86-59 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

s. George S. and Dorothea G. Reynolds	20	348.12
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ACTION: Res. 86-60 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

t. Gary S. and Kathleen C. Perow	21	348.12
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ACTION: Res. 86-61 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

u. Stephen R. Beck, Catherine Reins, and

v. Curtis and Helen Beck	22	348.12
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ACTION: Res. 86-62 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

w. Anthony Bedford 23 348.12

ACTION: Res. 86-63 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

x. Bobbie L. Arden and Jessie D. Tunsen 24 384.61  
(Paid - dropped from agenda.)

BLOCK 12308 & 12312 PRINCE VALLIANT LN./NOTTINGHAM LN.--E. RUMBLE/ROBINHOOD

Property Owner Lot Contract Cost

a. John F. Caratti 9 \$322.18  
(Paid - dropped from agenda.)

b. Wiley R. Martin 10 666.69

ACTION: Res. 86-64 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

c. Sanuel D. Robinson 11 503.77  
(Paid - dropped from agenda.)

d. Charles F. Dotson 12 503.77

ACTION: Res. 86-65 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

e. Steven A. and Linda L. Sanders 13 503.77

ACTION: Res. 86-66 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

f. Roy A. Loretelli 14 503.77

ACTION: Res. 86-67 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

g. Lure J. Johnson 15 480.30

ACTION: Res. 86-68 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

h. Samuel Oppenheim 16 904.13

ACTION: Res. 86-69 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

i. Eduardo Musante Por. 566.78

ACTION: Res. 86-70 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

j. Garon D. and Audrey A. Potter 3 307.35

ACTION: Res. 86-71 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

k. Clyde Oden 4 307.35  
(Paid - dropped from agenda.)

l. John G. Jurinek 5 307.35

ACTION: Res. 86-72 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

m. Vicki C. Decker 6 307.35

ACTION: Res. 86-73 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

n. Malcolm C. Holmberg 7 307.35  
(Paid - dropped from agenda.)

o. Lena Lozano 13 361.36

ACTION Res. 86-74 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

p. Roger A. Williams 12 504.35

ACTION: Res. 86-75 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

BLOCK 12314 E. RUMBLE/KING RICHARD LN.--EDWARD AVENUE/WEST TO "T"

Property Owner Lot Contract Cost

a. C. D. and Alice McKission 11 \$384.40

ACTION: Res. 85-76 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

b. James H. Elliott 10 285.05

ACTION: Res. 86-77 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

c. Elmwood Wallstrom 9 285.85

ACTION: Res. 86-78 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

d. Gerald L. McKinsey 8 285.85  
(Paid - dropped from agenda.)

e. Robert L. Worthington 7 292.35

ACTION: Res. 86-79 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

f. Gus F. Rathert 6 277.73

ACTION: Res. 86-80 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

g. William A. Shultz 5 277.73  
(Paid - dropped from agenda.)

h. Delbert R. Rydquist 4 277.73

ACTION: Res. 86-81 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

i. Kenneth D. Macomber 3 277.73  
(Paid - dropped from agenda.)

j. Kenneth H. Smith 2 277.73

ACTION: Res. 86-82 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

k. Ronald W. Turner 1 284.07

ACTION: Res. 86-83 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

BLOCK 12315 E. RUMBLE/KING RICHARD LN.--EDWARD AVE./EAST TO "T"

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
a. E. B. Gregg	7	\$270.39

ACTION: Res. 85-84 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

- b. Glenn and Sue Ellen Ritchey, Jr. 8 263.95  
ACTION: Res. 86-85 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)
- c. William S. Merlyne S. Carr 9 291.80  
ACTION: Res. 86-86 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)
- d. Marybelle T. Clover 10 373.77  
(Paid - dropped from agenda.)
- e. Douglas J. and Connie C. Harris 11 314.63  
ACTION: Res. 86-87 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)
- f. Austin K. and Sandy Ma Por. 250.97  
ACTION: Res. 86-88 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)
- g. Pamela Cruz, Sammy Andondakis and
- h. Carolyn Andondakis Por. 255.24  
ACTION: Res. 86-89 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)
- i. Jerome Phillip Breen Por. 250.73  
ACTION: Res. 86-90 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)
- j. Floyd L. and Jeanine Faughn Por. 250.72  
ACTION: Res. 86-91 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)
- k. Garth T. and Dixie E. Bolinder 5 250.72  
ACTION: Res. 86-92 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)
- l. David A. and Mary S. Marino 6 256.13  
ACTION: Res. 86-93 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

BLOCK 12319 LITTLE JOHN LN./ROBINHOOD DR.--YORKSHIRE LN./TUXFORD

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
a. Harold A. Peterson (Paid - dropped from agenda.)	7	\$254.51
b. Robert R. Klamt	6	247.09
<u>ACTION:</u> Res. 86-94 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
c. Arthur L. Myers (Paid - dropped from agenda.)	5	247.09
d. Everett G. Woodworth (Paid - dropped from agenda.)	4	247.12
e. Jay W. and Allison L. Osborne	3	241.49
<u>ACTION:</u> Res. 86-95 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
f. Robert J. and Donna A. Munoz	2	240.27
<u>ACTION:</u> Res. 86-96 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
g. Barry W. Highiet (Paid - dropped from agenda.)	1	256.21
h. Louis R. Haaze	14	247.46
<u>ACTION:</u> Res. 86-97 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
i. Glen W. Holm (Paid - dropped ;from agenda.)	13	247.37
j. Richard R. Treadwell (Paid - dropped from agenda)	12	247.24
k. Gilbert J. Nickerson	11	247.19
<u>ACTION:</u> Res. 86-98 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
l. Eugene G. and Mary L. Wilkins	10	247.22
<u>ACTION:</u> Res. 86-99 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		

m. Philip Souza 9 247.34

ACTION: Res. 86-100 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

n. Ray M. Putler 8 249.39

ACTION: Res. 86-101 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

BLOCK 12323 & 12325 DURHAM LN./HARROW CT.--BRIDGEFORD LN./EAST TO "T"

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
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a. Joe D. and Dale J. Hulin	15	\$237.01
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ACTION: Res. 86-102 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

b. Fraidon Babanejad	14	232.13
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ACTION: Res. 86-103 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

c. James Simvoulakis (Paid - dropped from agenda.)	13	232.13
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d. Lillian M. Brown Moni	12	300.74
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ACTION: Res. 86-104 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

e. Fong Leong (Paid - dropped from agenda.)	11	166.15
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f. Edward H. Youngman	1	268.78
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ACTION: Res. 86-105 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

g. Lloyd G. Ploutz	2	244.34
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ACTION: Res. 86-106 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)

h. Karl W. and Donna G. Ebell (Paid - dropped from agenda.)	3	244.34
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i. Richard D. Harris (Paid - dropped from agenda.)	4	428.43
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BLOCK 6118 STETSON AVE./ALBANY AVE.--W. GRANGER AVE./PEARL STREET

<u>Property Owner</u>	<u>Lot</u>	<u>Contract Cost</u>
a. Paul A. Fisher	11	\$288.31
<u>ACTION:</u> Res. 86-107 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
b. Frank Angelakis	12	295.11
<u>ACTION:</u> Res. 86-108 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
c. Wesley Stambaugh	13	295.11
<u>ACTION:</u> Res. 86-109 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
d. Wilbur G. Peck	14	295.11
<u>ACTION:</u> Res. 86-110 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
e. Guillermo Villarreal	15	295.11
<u>ACTION:</u> Res. 86-111 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
f. Walter Davies	16	295.11
<u>ACTION:</u> Res. 86-112 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
g. Paul E. Choquette (Paid - dropped from agenda.)	17	295.11
h. Donald H. Foster	18	295.11
<u>ACTION:</u> Res. 86-113 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
i. Joe S. Yanez	19	295.11
<u>ACTION:</u> Res. 86-114 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		
j. Mario Dali	20	295.11
<u>ACTION:</u> Res. 86-115 adopted (Muratore/Patterson, unan.) confirming report, assessing costs and directing method of collection.(Finance to handle)		

k. Alice Hassey 1 295.11  
(Paid - dropped from agenda.)

l. David P. Tupper 2 295.11

ACTION: Res. 86-116 adopted (Muratore/Patterson, unan.) confirming report,  
assessing costs and directing method of collection.(Finance to handle)

m. Lahoma Stephens 3 295.11

ACTION: Res. 86-117 adopted (Muratore/Patterson, unan.) confirming report,  
assessing costs and directing method of collection.(Finance to handle)

n. Steven and Susan Powers 4 295.11

ACTION: Res. 86-118 adopted (Muratore/Patterson, unan.) confirming report,  
assessing costs and directing method of collection.(Finance to handle)

o. David A. Costa 5 295.11

ACTION: Res. 86-119 adopted (Muratore/Patterson, unan.) confirming report,  
assessing costs and directing method of collection.(Finance to handle)

p. Antonina Carpenter 6 344.29

ACTION: Res. 86-120 adopted (Muratore/Patterson, unan.) confirming report,  
assessing costs and directing method of collection.(Finance to handle)

q. Jeannie Wells 7 245.92  
(Paid - dropped from agenda.)

r. Elmer Dunn 8 295.11

ACTION: Res. 86-121 adopted (Muratore/Patterson, unan.) confirming report,  
assessing costs and directing method of collection.(Finance to handle)

s. Marjorie A. Hamby 9 295.11

ACTION: Res. 86-122 adopted (Muratore/Patterson, unan.) confirming report,  
assessing costs and directing method of collection.(Finance to handle)

t. David B. and Christy H. Walker 10 288.31

ACTION: Res. 86-123 adopted (Muratore/Patterson, unan.) confirming report,  
assessing costs and directing method of collection.(Finance to handle)

7. Hearing to consider amendment to Sections 2-3-8 and 3-3-8 of the Zoning Map to rezone from portions of P-D(330) and P-D(331) to R-3, property located on the northeast side of Sisk Road and south of Pelandale Avenue. (Laurence and Art Martin) (Laurence Martin has requested that this hearing be continued to January 28, 1986.)

ACTION: By motion (Muratore/Whiteside, unan.) hearing continued to February 25, 1986, at 7:30 p.m. (Clerk to handle)

### BIDS

#### CONSENT

8. Consider approving specifications and authorize call for bids to be opened February 4, 1986, at 3:00 p.m., for furnishing one Parks gang mower with trailer. (Requested by the Utility Services Service Division, the mower and trailer will be permanently assigned to the Parks Grounds Maintenance Division where it will be used to mow lawns. Resolution approving specifications and authorizing call for bids needed.)

ACTION: Res. 86-124 adopted calling for bids. (Finance to handle)

#### CONSENT

9. Consider award of contract for the Claus Road water line extension. (Bids were opened on January 7, 1986. The low bid of \$22,765, submitted by Rolfe Construction, is 2.29% above the engineer's estimate and considered acceptable. It is, therefore, recommended by the Engineering Department that the contract be awarded to Rolfe Construction. Memo with agenda. Resolution awarding contract to Rolfe Construction needed. Estimated cost: \$22,765; funds are budgeted.)

ACTION: Res. 86-125 adopted awarding contract. (Eng to handle)

#### CONSENT

10. Consider awarding contract to Richard A. Heaps, Electrical Contractor, Inc., for modification of traffic signals and street improvements at Tully Road/Standiford Avenue and at Coffee Road/Sylvan Avenue. (Memo with agenda. Bids were opened on Friday, January 3, 1985. Seven bids were received. Richard A. Heaps, Electrical Contractor, Inc., was the low bidder at \$78,430. This is almost 14% below the estimate and is considered acceptable. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 86-126 adopted awarding contract. (P/T to handle)

#### CONSENT

11. Consider declaring J-M Squared Equipment low bidder and authorize the purchase of Fairbanks Morse pump parts for the total price of \$16,255. (Memorandum with agenda. Resolution authorizing the purchase of pump parts from J-M Squared Equipment needed. Funds are budgeted.)

ACTION: Res. 86-127 adopted authorizing purchase. (Finance to handle)

CONSENT

12. Consider approving amendment to agreement with George Reed, Inc. for the construction of Housing Improvement Area No. 3 - Phase III to allow a reduction in the 10% retention of \$22,719.17 to \$7,000.  
(Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 86-128 adopted approving amendment to agreement. (Eng to handle)

WRITTEN COMMUNICATIONS

13. Letter from Carmen Sabatino requesting that the City Council direct City Manager and City Attorney to make public the itemized billings of Holland, McDonough, and Allen for services provided.

Mayor Mensinger excused due to a potential conflict of interest.

By order of the Chair, staff directed to provide appropriate information to the City Council and Mr. Sabatino. (Atty to handle)

14. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

Monroe Taylor asked the Council to declare the third Monday in January as a holiday to commemorate Martin Luther King's birthday.

ACTION: By motion (Sutton/Patterson, unan.) staff directed to propose to the three employee groups, during the next salary negotiations, that Martin Luther King Day be substituted for Admission Day.  
(Atty to handle)

By order of the Chair, staff directed to research the records to see if there was some reference by the Council to a holiday in past years.  
(Clerk to handle)

Daniel Marsh spoke about City recovery of Court costs.

NEW BUSINESS

CONSENT

15. Consider authorizing the City Manager to sign an amendment to the agreement of February 12, 1985, with American Management Systems to purchase the extended purchasing sub-system software for \$32,500.  
(Memo with agenda. Resolution approving amendment to agreement needed. Estimated cost: \$50,000; funds are budgeted.)

ACTION: Res. 86-129 adopted approving amended agreement. (Finance to handle)

CONSENT

16. Annexation of territory in the Sylvan Avenue No. 4 Governmental Reorganization to the City of Modesto.  
(At its December 18, 1985, meeting, LAFCO approved the Sylvan Avenue No. 4 Governmental Reorganization. The area consists of 20.717 acres immediately east of Beyer High School on the north side of Sylvan Avenue and includes one single-family dwelling. LAFCO has authorized the Council to proceed without notice, hearing or election. Resolution ordering the Sylvan Avenue No. 4 Governmental Reorganization to the City of Modesto, detaching the area from the Riverbank Fire Protection District and annexing to the Modesto Municipal Sewer District and certifying review of environmental impact needed.)

ACTION: Res. 86-130 adopted ordering the Governmental Reorganization.  
(Clerk to handle)

CONSENT

17. Consider approval of agreement with Don Grover, Architect, A.I.A., & Associates for the McHenry Mansion plans and specifications, Phase II. (The agreement provides for the architectural services for the elevator, restrooms and lower level of the mansion. The cost of the project is \$19,310. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 86-131 adopted approving agreement. (P/R to handle)

CONSENT

18. Request for refund of \$1,568.66 for overpayment of Business Improvement Area Tax - Alpha II.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 86-132 adopted approving refund. (Finance to handle)

MISCELLANEOUS

19. Appointments

None

20. MATTERS TOO LATE FOR THE AGENDA

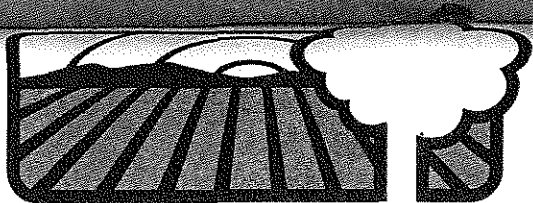
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 9:45 p.m.

ATTEST: Norrine Coyle  
NORRINE COYLE City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 21, 1986, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Leland Peterson, St. Paul's Episcopal Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 11, 12, 13,  
Removed from consent: 28 16, 17, 18, 19, 20, 21, 22, 23, 24,  
25, 26, 27

ACTION: (Whiteside/Sutton, unan.)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

City Attorney Elwyn Johnson introduced Hurl Johnson, newly hired Deputy City Attorney.

### MINUTES

#### CONSENT

2. Approval of the minutes of the January 9, 1986, adjourned regular meeting and the January 14, 1986, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Consider staff report on Forward Modesto III.  
(Memorandum with agenda. Motion accepting report needed.)

ACTION: By motion (McGrath/Sutton, unan.) receipt of report acknowledged and staff directed to set up a workshop type Council meeting to discuss the proposed committee. (Mgmt. Services to handle)

HEARINGS

4. Hearing to consider amendment to Section 24-3-8 of the Zoning Map to rezone from R-1 to R-2 property located at the southeast corner of Blue Gum Avenue and Morse Avenue. (The Land Fund Group)

ACTION: By motion (Patterson/Lang, unan.) Ord. No. 2400-C.S. introduced.  
Res. 86-133 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

5. Hearing regarding amendments to Conflict of Interest Codes for the Finance, Management Services, Parks and Recreation, and Utility Services Departments.

ACTION: Res. 86-134 adopted (Lang/Whiteside, unan.) amending Conflict of Interest Code for Finance.  
Res. 86-135 adopted (same vote) amending Conflict of Interest Code for Management Services.  
Res. 86-136 adopted (same vote) amending Conflict of Interest Code for Parks & Recreation.  
Res. 86-137 adopted (same vote) amending Conflict of Interest Code for Utility Services.  
(Clerk to handle)

CONSENT

BIDS

6. Consider approval of plans and specifications and call for bids for the construction of Pump Station No. 45.  
(Suggested bid opening: February 11, 1986. at 11:05 a.m. Project description with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$91,520 (contract \$83,200; engineering & cont. \$8,320); funds are partially budgeted. Appropriation transfer to be requested after award of bid.)

ACTION: Res. 86-138 adopted calling for bids. (Eng. to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for the reconstruction of Pump Station No. 34.  
Suggested bid opening: February 11, 1986, at 11:00 a.m. Project description with agenda. Estimated cost: \$106,110 (contract \$95,100; engineering & cont. \$11,010); funds are partially budgeted.  
Appropriation transfer to be requested after award of bid.)

ACTION: Res. 86-139 adopted calling for bids. (Eng. to handle)

CONSENT

8. Consider declaring Dow-Hammond Trucks Co. low bidder and authorize the purchase of one new Allison transmission for the total price of \$11,311.42 (Memorandum with agenda. Resolution authorizing purchase from Dow-Hammond Trucks Co. needed. Funds are budgeted.)

ACTION: Res. 86-140 adopted authorizing purchase. (Finance to handle)

CONSENT

9. Consider declaring low bidders and authorizing the purchase of golf course replacement trees from Tree Haven Nursery and Boething Nursery. (Memorandum with agenda. Resolution authorizing purchase from Tree Haven Nursery needed, and resolution authorizing purchase from Boething Nursery needed. Estimated cost: \$10,081; funds are budgeted.)

ACTION: Res. 86-141 adopted awarding bid to Tree Haven Nursery.

Res. 86-142 adopted awarding bid to Boething Nursery.  
(Finance to handle)

10. Consider award of contract for the replacement of the stairway at the Woodland Avenue sewer lift station. (Bids were opened on January 14, 1986. The low bid of \$11,859, submitted by Lang's Enterprises, is 18.59 percent above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Lang's Enterprises. Memo and bid tabulation with agenda. Resolution awarding contract to Lang's Enterprises needed. Funds are budgeted.) (Councilmember McGrath will be excused due to a conflict of interest.)

ACTION: Res. 86-143 adopted (Lang/Sutton, unan., McGrath excused) awarding bid.  
(Eng. to handle)

CONSENT

11. Consider acceptance of George Reed's contract for the reconstruction of Tuolumne River Regional Park parking lots. (Original contract: \$157,238.00) (All work on this project has been completed to the satisfaction of the Engineering 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. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$158,241.30; funds are budgeted.)

ACTION: Res. 86-144 adopted accepting work as complete. (Clerk to handle)

CONSENT

12. Consider acceptance of Joe Martin's contract for the water line extension in McHenry Avenue north of Coralwood. (Original contract: \$36,755) (All work on this project has been completed to the satisfaction of the Engineering 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: \$37,341.86; funds are budgeted.)

ACTION: Res. 86-145 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider waiving formal bid procedures and authorizing the purchase of traffic line paint from January 22, 1986, to November 29, 1986, through the State of California Cooperative Purchasing Program. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. Estimated cost: \$58,842. Funds are budgeted.) (Five affirmative votes needed.)

ACTION: Res. 86-146 adopted waiving formal bid procedures. (Finance to handle)

14. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

None

NEW BUSINESS

15. Consider Stanislaus County Board of Supervisor's request that the City notify the County if Modesto wishes to implement the function required by AB 2185 regarding preparation of inventories and response plans for hazardous materials handled by businesses, or whether the City prefers to designate the County as "Administering Agency." (Memo with agenda. Motion authorizing Mayor to reply to Board of Supervisors needed.)

ACTION: By motion (Lang/Sutton, unan.) Mayor directed to send a letter to the County Board of Supervisors informing them that they are being designated as Administering Agency. (Fire to handle)

CONSENT

16. County Referral of Open Space Contract - John and Susan Stephens, 1807 Kansas Avenue (No. 86-4063)  
(Memo and map with agenda. 5.14 acres located on the north side of Kansas Avenue 1,500 feet west of Carpenter Road. Resolution expressing recommendation of opposition needed.)

ACTION: Res. 86-147 adopted expressing recommendation of opposition. (Planning to handle)

CONSENT

17. Consider approving agreement with WestAir Commuter Airlines, Inc. for their operation at the Modesto City-County Airport/Harry Sham Field. (This is a one-year renewal of an existing lease. WestAir pays \$536.25 per month for terminal fees and approximately \$1,300 per month for landing fees. All terms remain the same. This is WestAir's third year with the City. Resolution approving agreement needed.)

ACTION: Res. 86-148 adopted approving agreement. (Utility Serv. to handle)

CONSENT

18. Consider an agreement with the Public Employees' Retirement System for an actuarial valuation of local safety members (Police) for proposed benefit formula of 2% at 50.  
(Memorandum with agenda. Resolution approving agreement needed.  
Estimated cost: \$154. Funds are budgeted.)

ACTION: Res. 86-149 adopted approving agreement. (Mgmt. Services to handle)

CONSENT

19. Consider approving agreement with California Western States Life Insurance Company to renew the \$50,000 specific stop loss coverage.  
(Memo with agenda. For the period of February 1, 1986 to January 31, 1987. Resolution approving agreement needed. Estimated cost: \$1,320; funds are budgeted.)

ACTION: Res. 86-150 adopted approving agreement. (Mgmt. Services to handle)

CONSENT

20. Consider replacement of Fire Station No. 1 emergency generator.  
(Memorandum with agenda. Resolution approving appropriation transfer needed. Estimated cost: \$25,000)

ACTION: Res. 86-151 adopted approving appropriation transfer. (Finance to handle)

CONSENT

21. Request of Bill Weinmaster for permission to pay costs of installation of curb and sidewalk on time payments and superceding Res. No. 85-48.  
(\$1,416)  
(Staff recommends payment of a 10-year period. The property is located at 725 California Avenue. Mr. Weinmaster states he understood he would be able to pay over a long period of time. Staff did not receive returned request for time payments which was mailed to Mr. Weinmaster August 30, 1985. Mr. Weinmaster states that his house payment has increased so much that he is in financial hardship. Resolution superceding Res. 85-48 and approving time payments needed.)

ACTION: Res. 86-152 adopted approving time payments. (Finance to handle)

CONSENT

22. Set hearing to consider amendments, additions, and deletions to the Zoning Regulations. (Omni 9 Refinements)  
(On January 6, 1986, the Planning Commission adopted Res. No. 86-15 recommending to the Council amendments, additions, and deletions to the Zoning Regulations. Resolution setting hearing February 18, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-153 adopted setting hearing. (Clerk to handle)

CONSENT

23. Consider setting hearing to review monthly sewer service charges. Resolution setting public hearing on Tuesday, February 4, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-154 adopted setting hearing. (Clerk to handle)

CONSENT

24. Presentation of monthly Treasurer's Report for December, 1985. (Copies of the report will be presented at the meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

25. Consider approving agreement with Modesto Executive Air Charter, Inc. dba Skytrek Aviation for the lease of Office Building No. 1, Hangar No. 5 and a tie-down area. (This is a one-year renewal of an existing lease. Sky Trek pays us \$466 per month for their office, \$611 per month for their hangar and \$624 per month for the tie-down area. All terms are the same. Resolution approving agreement needed.)

ACTION: Res. 86-155 adopted approving agreement. (Utility Serv. to handle)

CONSENT

26. Consider amending Sections 7-3.108, 7-3.108.3 and 7-3.108.4 of the Municipal Code relating to Workers' Compensation insurance requirements at the Modesto Airport. (Recent court decisions indicate a need to review and update our Workers' Compensation requirements at the Airport. Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2401-C.S. introduced. (Clerk to handle)

CONSENT

27. Consider amending the Position Classification Plan and salary resolution to add two new classes - Instrument Repair Technician and Parks and Recreation Office Supervisor. (Memos with agenda. Resolution amending Position Classification Plan needed, and resolution amending alphabetical listing of classifications in the salary resolution needed. Funds are budgeted or are available through salary savings.)

ACTION: Res. 86-156 adopted amending classification plan.  
Res. 86-157 adopted amending salary schedule. (Mgmt. Services to handle)

28. Consider acceptance of improvements in Naraghi Lakes No. 1 subdivision and authorizing City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods, and consider authorizing City Manager to sign storm drainage maintenance agreement for said subdivision. (Developer - Naraghi Farms)  
(Naraghi Lakes subdivision is located between Sylvan Avenue and Floyd Avenue, west of Oakdale Road. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed, and resolution approving storm drainage maintenance agreement needed.)

ACTION: By motion (Lang/Patterson, unan.) staff directed to place this item on the January 28, 1986 agenda. (Clerk to handle)

MISCELLANEOUS

29. Appointments

None

30. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

Meeting adjourned at 5:10 p.m.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JANUARY 28, 1986, AT 7:30 P.M.

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

Absent: Mayor Mensinger

Pledge of allegiance to the Flag

Invocation: Acting Mayor Whiteside asked that a moment of silence be observed in  
memory of those who died in the tragic Challenger accident.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6, 7, 8, 9, 12, 14,  
Dropped from agenda: 13 15

ACTION: (Sutton/Lang, unan., Mayor Mensinger absent)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

## MINUTES

### CONSENT

2. Approval of the minutes of the January 21, 1986, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2400-C.S. rezoning from R-1 to R-2, property located at the southeast corner of Blue Gum Avenue and Morse Avenue. (The Land Fund Group)
- b. Ord. No. 2401-C.S. amending the Municipal Code in relation to insurance requirements at the Modesto City-County Airport/Harry Sham Field.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

4. Further consideration of recommendation to require curb and sidewalk along Conejo Avenue at 306 Conejo Avenue, a portion of Block 2184A. (E. Curtis Camp)  
(Memo with agenda.)

ACTION: Res. 86-158 adopted (Lang/Muratore, unan., Mayor Mensinger absent) ordering work to be done.

By motion (same vote) staff directed to allow roll-over curb and to allow a \$50 credit on the cost. (Eng. to handle)

HEARINGS

5. Hearing to consider the appeal of Graceada Mansion Partnership to a Planning Commission decision at the northeast corner of Poplar Avenue and Needham Street.

ACTION: By motion (Muratore/Lang, unan., Mayor Mensinger absent) Ord. No. 2402-C.S. introduced.

Res. 86-159 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for the construction of Fairway Neighborhood Park/Soccer Field. (LWCF Project No. 06-01104)  
(Suggested bid opening: February 25, 1986, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$565,437 (contract \$538,511; engineering \$26,926); funds are budgeted.)

ACTION: Res. 86-160 adopted calling for bids.

(Eng. to handle)

CONSENT

7. Consider approving specifications and authorizing call for bids to be opened February 25, 1986, at 3:00 p.m. for furnishing three desk-top laser printers.  
(Approved for purchase by the Data Processing Steering Committee, the printers will be assigned to the City Attorney, Utility Services, and Finance Departments. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$15,533; funds are budgeted.)

ACTION: Res. 86-161 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider declaring The Tire Store of Modesto overall low bidder for furnishing the City's annual tire recapping requirements.  
(Memorandum with agenda. Resolution declaring The Tire Store low bidder and authorizing purchase needed. Estimated cost: \$19,970; funds are budgeted.)

ACTION: Res. 86-162 adopted awarding bid. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

9. Consider request of Harlan Smith, President, Modesto Camellia Society, for donation of Sweepstake Trophy for the Silver Anniversary Camellia Show to be held March 15 and 16, 1986. Motion approving request needed.

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

10.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Darlene Binion requested more recreation activities for junior high school age students.

NEW BUSINESS

11. Certification of the Final EIR for the proposed Enterprise Zone.  
(The City of Modesto is a finalist for State designation of an Enterprise Zone in south Modesto. A Draft EIR was prepared and comments were received. The Final EIR is with agenda. Resolution certifying the Final EIR and directing submission of the Final EIR to the State Department of Commerce needed.)

ACTION: Res. 86-163 adopted (Lang/Muratore, unan., Mayor Mensinger absent) certifying Final EIR and directing submission of the Final EIR to the State Department of Commerce. (Economic Development Director to handle)

CONSENT

12. Consider acceptance of improvements in Naraghi Lakes No. 1 subdivision and authorizing City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods, and consider authorizing City Manager to sign storm drainage maintenance agreement for said subdivision. (Developer - Naraghi Farms)  
(Naraghi Lakes subdivision is located between Sylvan Avenue and Floyd Avenue, west of Oakdale Road. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed, and resolution approving storm drainage maintenance agreement needed.)

ACTION: Res. 86-164 adopted accepting improvements as complete.

Res. 86-165 adopted approving storm drainage maintenance agreement.  
(Clerk/Eng. to handle)

CONSENT

13. Consider amending service agreement with CSI Resource Systems, Inc. to provide additional financial advisory support not covered in present agreement, in conjunction with proposed waste-to-energy project.  
(Memo with agenda. Resolution approving amendment to agreement needed. Estimated cost: \$38,500 (not to exceed \$50,000). To be paid from the Waste-to-Energy Trust Fund administered by the County.)

Dropped from agenda

CONSENT

14. Consider initiation of proceedings for Yosemite-Claus Reorganization.  
(We have received petitions signed by all of the property owners within the Yosemite Trunk portion of the Yosemite Neighborhood requesting annexation to the City of Modesto. This proposal includes about 355+ acres bounded by Claus Road, Yosemite Boulevard, M.I.D. Lateral No. 2, and the current sewer service boundary. It is recommended that the Council expedite the annexation by adopting a resolution of application to initiate the proceedings. Resolution of application to initiate proceedings needed.)

ACTION: Res. 86-166 adopted initiating proceedings. (Planning to handle)

CONSENT

15. Consider approval of LAFCO Questionnaire indicating no opposition to the Mono-Kerr Reorganization.  
(Proponents propose annexation of the approximately 3.8 acre area located at the northeast corner of Mono and Kerr Avenue. Submission of a questionnaire to LAFCO with application is necessary. Memo and map with agenda. Resolution responding favorably to proposed Reorganization needed.)

ACTION: Res. 86-167 adopted responding favorably to proposed Reorganization.  
(Planning to handle)

MISCELLANEOUS

17. Appointments

ACTION: Res. 86-168 adopted reappointing Helen White to the Human Relations Commission, term to expire 1/1/90.  
Res. 86-169 adopted reappointing Joyce Carrillo to the Board of Zoning Adjustment, term to expire 1/1/90.  
Res. 86-170 adopted reappointing Gordon Hart and Balvino Irizarry to the Planning Commission, terms to expire 1/1/90. (Clerk to handle)

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The Council meeting adjourned at 8:27/<sup>p.m.</sup>to Thursday, January 30, 1986, at 3:30 p.m. in the City Hall Third Floor Conference Room to discuss Forward Modesto III Committee.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
January 30, 1986

The Council of the City of Modesto met pursuant to adjournment at 3:30 p.m. in the Third Floor Conference Room, City Hall, 801 11th Street, Modesto, California.

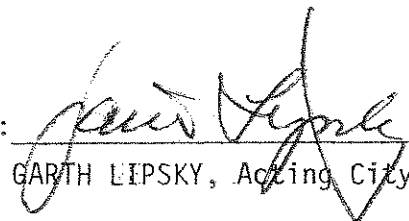
Present: Councilmembers Lang, McGrath, Muratore, Sutton, Whiteside,  
Mayor Mensinger

Absent: Councilmember Patterson

The Councilmembers met to discuss plans for the work of the proposed Forward Modesto III Committee.

The meeting adjourned at 4:45 p.m.

ATTEST:

  
GARTH LIPSKY, Acting City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 4, 1986, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 9, 10, 11, 12, 13, 14, 16, 17, 18, 20, 21

Dropped from agenda: 19

ACTION: (Patterson/Lang, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger reminded everyone to vote today.

Elwyn Johnson introduced Carol Graham, newly appointed Deputy City Attorney.

MINUTES

CONSENT

2. Approval of the minutes of the January 28, 1986, regular City Council meeting.

(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

### UNFINISHED BUSINESS

4. Consider staff report and recommendation on Coralwood Mobile Home Park. (Memorandum with agenda. Motion accepting report and approving staff recommendation needed.)

ACTION: By motion (Sutton/Lang, unan.) report accepted and staff recommendation approved. (Mgmt. Services to handle)

### HEARINGS

5. Hearing to consider appeal of Mid-Valley Engineering, on behalf of G.F.F. & R #2, to a Planning Commission decision denying an application to rezone from R-1 to P-D, property located on the west side of Oakdale Road north of Wylie Drive.

ACTION: By motion (McGrath/Muratore, majority, Sutton, Whiteside and Mayor Mensinger-no) Council indicated its intention to grant the appeal and directed staff to prepare the necessary documents for Council approval. (Planning to handle)

6. Hearing to consider an amendment to Section Map 28-3-9 to rezone from R-2 to P-D(30) to expand the Gould Medical Group Building and parking area, property located on the southwest corner of Coffee Road and Lucern Avenue. (Gould Medical Group)

ACTION: By motion (Lang/Whiteside, unan.) Ord. No. 2403-C.S. introduced.  
Res. 86-171 adopted (same vote) approving plan.  
Res. 86-172 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

7. Hearing to consider revising monthly sewer service charges.

ACTION: Res. 86-173 adopted (Muratore/Whiteside, unan.) revising sewer service charges. (Finance to handle)

Councilmember Lang excused at 7:20 p.m.

### BIDS

8. Report on receipt of written bids for sale of structure at 321 Neece and oral bidding for the structure as required by the Specifications and Notice to Bidders. (Memo with agenda. Resolution awarding bids needed.)

ACTION: Res. 86-174 adopted (McGrath/Whiteside, unan., Lang absent) awarding bid to W.D. Camp in the amount of \$9,500. (Clerk to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for construction of passenger terminal access road, T-hangar reconstruction and helicopter landing pad at Modesto City-County Airport (AIP No. 3-06-0153-04  
(Memo with agenda. Suggested bid opening: March 4, 1986 at 11:00 a.m. Estimated cost: \$410,900 (contract \$369,000; engineering \$41,900); funds are budgeted.)

ACTION: Res. 86-175 adopted calling for bids. (Eng. to handle)

CONSENT

10. Consider award of contract for the construction of Prescott Road sewer and water line extension.  
(Bids were opened on January 28, 1986. The low bid of \$109,856, submitted by Clyde Wheeler Pipeline, is 17.98% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Clyde Wheeler Pipeline. Memo and bid tabulation with agenda. Resolution awarding contract to Clyde Wheeler Pipeline needed. Funds are budgeted.)

ACTION: Res. 86-176 adopted awarding bid. (Eng. to handle)

CONSENT

11. Consider award of contract for the construction of curb, gutter and sidewalk on Scenic Drive.  
(Bids were opened on January 28, 1986. The low bid of \$30,908.20, submitted by Smartt Construction is 7.61% above the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Smartt Construction. Memo and bid tabulation with agenda. Resolution awarding contract to Smartt Construction needed. Funds are budgeted.)

ACTION: Res. 86-177 adopted awarding bid. (Eng. to handle)

CONSENT

12. Consider waiving the formal bid process and authorizing the emergency repair of the Emerald trunk sewer in the area of the Emerald Avenue lift station and Maze Boulevard.  
(Memo with agenda. A purchase order will be issued to Conco-West, Inc. for the repair work. Resolution authorizing purchase and resolution waiving formal bid procedures and authorizing issuance of purchase order needed. (Five affirmative votes needed.) Estimated cost: \$60,000; funds are budgeted)

ACTION: Res. 86-178 adopted waiving formal bid and authorizing purchase of pipe from: Gladding McBean.  
Res. 86-179 adopted waiving formal bid and authorizing work to be done by Conco-West, Inc. (Eng. to handle)

WRITTEN COMMUNICATIONS

CONSENT

13. Letter from Rick Michel resigning from the Farm-City Committee.  
(Resolution accepting resignation with regret needed.)

ACTION: Res. 86-180 adopted accepting resignation with regret. (Clerk to handle)

CONSENT

14. Request by Stewart M. Tabak, on behalf of Jennifer Humphrey, for permission to present a late claim.  
(Resolution denying request needed.)

ACTION: Res. 86-181 adopted denying request. (Clerk to handle)

15. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

None

NEW BUSINESS

CONSENT

16. Consider approving agreement with Walker D. and Pauline Jensen Halliday for the acquisition of easements across their property for the installation of a parallel outfall line.  
(The Hallidays have agreed to sell the required easements for \$13,944 which is consistent with the appraisal of the easement. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$13,944 plus 10% interest on \$4,476.30 from 5/4/84 to 2/4/86. Funds are budgeted.)

ACTION: Res. 86-182 adopted approving agreement. (Utility Serv. to handle)

CONSENT

17. Consider changing the name of a street located south of Parker Road, east of Claus Road, from Cedar Creek Drive to Held Drive.  
(Cedar Creek Drive was planned to align with Cedar Creek Court at Claus Road. A decision has now been made that it will not extend to Claus Road. A name change should be made to avoid confusion for emergency vehicles and mail delivery. Held Drive is recommended. Memo with agenda. Resolution changing the name of Cedar Creek Drive to Held Drive and directing the Parking and Traffic Department to make appropriate street sign changes needed. Estimated cost: \$54; funds are budgeted.)

ACTION: Res. 86-183 adopted changing name of street. (P.T. to handle)

CONSENT

18. Set time and date for a public hearing for the proposed El Vista Avenue No. 4 Reorganization to the City of Modesto.  
(On January 22, 1986, LAFCO approved this Reorganization which was initiated by a petition of property owners. The Reorganization would include 242 residential properties in the area bordered by El Vista Avenue, Edgebrook Drive, Curry Avenue, and Roble Avenue. These properties total 76.824 acres. There are 378 registered voters within the area. Resolution setting public hearing February 25, 1986, at 7:30 p.m. needed.)

ACTION: Res. 86-184 adopted setting hearing. (Clerk to handle)

CONSENT

19. Consider approval of the final map of Diablo Hills Unit No. 1 subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.  
(Subdividers: Diablo Hills Joint Venture.)  
(The subdivision agreement has been signed and all fees paid. Diablo Hills No. 1 is located at the northeast corner of Morse Road and Kansas Avenue. It contains 21.6180 Acres. Resolution approving final map needed.)

Dropped from agenda

CONSENT

20. Consider approval of the final map of Olympic Village 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.  
(Subdivider: R. L. Sessions Development)  
(The subdivision agreement has been signed and all fees paid. Olympic Village is located south of Standiford Avenue and east of Shawnee Drive. It contains 8.9823 acres. Resolution approving final map needed.)

ACTION: Res. 86-185 adopted approving final map. (Clerk to handle)

CONSENT

21. Consider authorizing City Manager to sign an easement agreement with Modesto Irrigation District to provide an easement for crossing M.I.D. Lateral No. 6 at McHenry Avenue.  
(A 10-inch water main was extended north on McHenry to provide the car dealerships in the Bangs Avenue area. It was necessary to cross the M.I.D. right of way. Therefore, an easement is required. The cost of the easement is \$10. Resolution approving easement agreement needed. Funds are budgeted.)

ACTION: Res. 86-186 adopted approving easement agreement. (Eng. to handle)

MISCELLANEOUS

22. Appointments

None

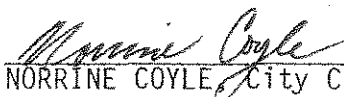
23. MATTERS TOO LATE FOR THE AGENDA

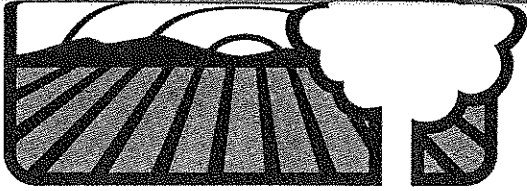
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 7:25 p.m.

ATTEST:   
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 11, 1986, AT 7:30 P.M

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. Lee Heim, Trinity Presbyterian Church

A. Report of Canvass of Votes.

ACTION: Res. 86-187 adopted (Lang/Whiteside, unan.) confirming the canvass of the vote of the February 4, 1985 special election.

B. Oath of Office

The City Clerk administered the oath of office to newly elected Axel Hedberg.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 7, 8, 10, 11, 12, 13,  
15, 16, 17, 18, 19, 20

ACTION:(Sutton/Whiteside, unan.)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Gene Palsgrove reported that communications have been received from people in Modesto's sister city in Russia.

Mayor Mensinger reported on the recent death of Mrs. Lottie Peck at age 96.

## MINUTES

### CONSENT

2. Approval of the minutes of the adjourned regular meeting of January 30, 1986, and the February 4, 1986 regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## UNFINISHED BUSINESS

3. Consider approval of charge for the International Friendship Committee.  
(Memo with agenda. Resolution approving charge needed.)

ACTION: Res. 86-188 adopted (Whiteside/Sutton, unan.) approving proposed charge with the addition of a paragraph concerning encouraging international trade.  
(Mgr. to handle)

### CONSENT

4. Final adoption of:

- a. Ord. No. 2402-C.S. rezoning from R-3 to P-0, property located at the northeast corner of Poplar Avenue and Needham Street. (Hinchey - Graceada Mansion Partnership)
- b. Ord. No. 2403-C.S. rezoning from R-2 to P-D(30), property located on the southwest corner of Coffee Road and Lucern Avenue. (Gould Medical Group)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

## HEARINGS

5. Hearing to consider appeal of Steinpress Development to a Planning Commission decision denying an application for rezoning from R-1 to P-D to allow a mini-warehouse development, property located on the east side of Oakdale Road, south of Floyd Avenue.

ACTION: By motion (Lang/Whiteside, unan.) Ord. No. 2404-C.S. introduced.  
Res. 86-189 adopted (same vote) approving plan. (Clerk/Planning to handle)  
Res. 86-190 adopted (same vote) certifying review of Environmental Assessment.

6. Hearing to consider amendment to Section 14-3-9 of the Zoning Map to rezone from R-2 and R-3 to R-1, property located between Floyd Avenue and Belharbour Drive west of Roselle Avenue. (Arlo Hilkey)

ACTION: By motion (Muratore/Patterson, unan.) Ord. No. 2405-C.S. introduced.

Res. 86-191 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

## BIDS

### CONSENT

7. Consider approving specifications and authorize call for bids to be opened on March 11, 1986, at 3:00 p.m. for furnishing fertilizer. (The material will be used by the Parks and Recreation Department to fertilize various parks throughout the City and the Dryden and Muni Golf Courses. Resolution approving specifications and authorizing the call for bids needed. Estimated cost: \$19,580; funds are budgeted.)

ACTION: Res. 86-192 adopted calling for bids. (Finance to handle)

### CONSENT

8. Consider approval of plans and specifications and call for bids for the strengthening of the water system on Wright Avenue. (Suggested bid opening: March 4, 1986, at 11:05 a.m. This project will provide reinforcement and strengthening of the water system in an older area of the City and increase water capacity and fire flows. Project description with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$123,726 (contract \$104,296; engineering & cont. \$19,430); funds are budgeted.)

ACTION: Res. 86-193 adopted calling for bids. (Eng. to handle)

### CONSENT

10. Consider declaring Modesto Auto Air low bidder and authorize the purchase of seven roof mounted auto air conditioning units for a total price of \$11,662. (Memorandum with agenda. Resolution authorizing purchase of air conditioning units from Modesto Auto Air needed. Funds are budgeted.)

ACTION: Res. 86-194 adopted authorizing purchase. (Finance to handle)

### CONSENT

11. Consider acceptance of Sierra Roofing's contract for the reroofing of American Legion Hall. (Original contract and final cost: \$21,517) (All work on this project has been completed to the satisfaction of the Engineering Department and Parks and Recreation 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. Funds are budgeted.)

ACTION: Res. 86-195 adopted accepting work as complete. (Clerk to handle)

### CONSENT

12. Consider acceptance of Valley Slurry Seal Company's contract for crack sealing various City streets - 1986. (Original contract: \$19,050) (All work on this project has been completed to the satisfaction of the Engineering 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: \$25,275.20; funds are budgeted.)

ACTION: Res. 86-196 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider waiving formal bid procedures and authorizing a purchase order to be issued to the City and County of San Francisco for the raising of Hetch Hetchy Water and Power electrical towers on Prescott Road.  
(Memo with agenda. Resolution waiving formal bids and approving issuance of purchase order needed. (Five affirmative votes needed.) Estimated cost: \$24,700; funds are budgeted.)

ACTION: Res. 86-197 adopted waiving formal bids. (Eng. to handle)

MATTERS FOR THE GOOD OF THE COMMUNITY

14. (These may be presented by interested persons in the audience.)  
Fred Ballard presented another proposal concerning the rent problems at Coralwood Mobilehome Park. The Council reaffirmed the action last week, that the staff would continue to monitor the problem.

NEW BUSINESS

CONSENT

15. Consider adoption of a resolution designating the Director of Utility Services as the City's representative to serve on the Board of Trustees of Reclamation District 2091 and Rescinding Res. No. 68-645.  
(Memorandum with agenda. Resolution needed.)

ACTION: Res. 86-198 adopted designating representative. (Atty. to handle)

CONSENT

16. Consider authorizing City Manager to sign agreement with Modesto Irrigation District for consent to common use.  
(City plans to remove existing bridge crossing MID Lateral No. 6 at Tully Road and replace it with a new and wider crossing facility, consisting of a street over a double barrel 66-inch diameter reinforced concrete siphon. City needs temporary easements on both sides of the area of common use. Resolution authorizing City Manager to sign agreement needed.)

ACTION: Res. 86-199 adopted approving agreement. (Eng. to handle)

CONSENT

17. Consider approval of application for funds under the Federal Land and Water Conservation Program for the construction of a restroom/utility building at Lakewood Neighborhood Park.  
(Competitive grants area available through this funding program. A 50/50 local match is required on funded projects. Since this project meets the criteria, staff recommends applying for \$36,850. Resolution authorizing filing of an application needed.)

ACTION: Res. 86-200 adopted authorizing filing of an application. (P.R. to handle)

CONSENT

18. Consider request for refund of \$599.99 for overpayment of Business License Tax by Kits Auto Repair.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 86-201 adopted approving refund. (Finance to handle)

CONSENT

19. Consider certifying right of way for the Tully Road/MID Lateral No. 6 bridge replacement project.  
(One of the City's requirements on this Federally subsidized project is to certify as to the right of way acquisition. Memo with agenda. Resolution authorizing City Manager to execute the required right of way certification needed.)

ACTION: Res. 86-202 adopted certifying right of way. (Eng. to handle)

MISCELLANEOUS

CONSENT

20. Legislation: Staff recommends support of AB 1240 (Konnyu) - Notification of Changes in Model Building Code.  
(Memos and attachment with agenda. Motion accepting staff recommendation needed.)

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

21. Appointments.

None

22. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 9:10 p.m.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 18, 1986, AT 4:00 P.M.

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

Absent: None

Pledge of Allegiance to the Flag

Invocation: Rev. Nathan Sims, Seventh Day Adventist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 9, 10, 12, 13, 14, 15, 18, 20, 21, 23

Removed from Consent: 4, 11, 19

ACTION: (Whiteside/Patterson, unan.)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of Special Recognition Plaques for Co-sponsorships of the City's 1985 Recreation Program.  
(Plaques are to be given to various businesses and organizations that assist the City in co-sponsoring recreation programs. Memo with agenda.)

Mayor Mensinger expressed the City's appreciation and presented plaques to representatives Action Sports, American Legion Post '74', Heritage Ford, McHenry Bowl, Modesto Banking Company, Gianelli & Israels, Modesto Men's Golf Club, Red Lobster and Modern Woodsmen of America.

### MINUTES

#### CONSENT

2. Approval of the minutes of the February 11, 1986, regular City Council meeting.  
(Motion approving needed.)

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

### UNFINISHED BUSINESS

3. Further consideration of P-D(384), Goodyear Tire Store and Offices, on the west side of Oakdale Road north of Wylie Drive.  
(Memo with agenda.)

ACTION: By motion (Lang/Patterson, majority, Sutton, Whiteside and Mayor Mensinger-no) Ord. No. 2406-C.S. introduced.

Res. 86-203 adopted (same vote) granting appeal and approving plan.

Res. 86-204 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

4. Further consideration of truck parking in commercial areas.  
(Memo with agenda. The proposed Code amendment is not legal. The City has early morning parking prohibitions which prevent overnight parking by trucks and others. No other action seems feasible at this time. Motion acknowledging receipt of report needed.)

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

### HEARINGS

5. Hearing to consider an amendment to Section Map 15-3-9 to rezone from P-0 to P-D(104), as an addition to P-D(104), to allow a broadcasting studio and P-0 zone uses, property located at the northwest corner of Oakdale Road and Lancey Drive. (KOSO/Walley Armstrong)

ACTION: By motion (Muratore/Sutton, unan.) Ord. No. 2407-C.S. introduced.

Res. 86-205 adopted (same vote) approving plan.

Res. 86-206 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

6. Hearing to consider amendments, additions, and deletions to the Zoning Regulations (Omni 9 Refinements).

ACTION: By motion (Whiteside/Sutton, unan.) Ord. No. 2408-C.S. introduced.

Res. 86-207 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

#### BIDS

##### CONSENT

7. Consider approval of plans and specifications and call for bids for the construction of shade structures for picnic areas at Davis and Downey Parks.  
(Suggested bid opening: March 4, 1986, at 11:10 a.m. This project will provide shade structures for the group picnic areas and enhance the usage of the picnic areas. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$187,688 (contract \$170,626; engineering \$17,062); funds are budgeted.)

ACTION: Res. 86-208 adopted calling for bids. (Eng to handle)

##### CONSENT

8. Consider approval of plans and specifications and call for bids for water line extension on Semallon Avenue.  
(Suggested bid opening: March 11, 1986, at 11:00 a.m. This proposed water line extension is needed to serve a proposed subdivision on Semallon Avenue between Perlette Way and Lindsay Avenue. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$23,634 (contract \$20,576; engineering & cont. \$3,058); funds are budgeted.)

ACTION: Res. 86-209 adopted calling for bids. (Eng to handle)

##### CONSENT

9. Consider approving specifications and authorize call for bids to be opened March 11, 1986, at 3:10 p.m. for furnishing one rotary camera.  
(Requested by the Records Center, the rotary camera will replace the old SRM rotary camera used to film record and reports. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$17,000; funds are budgeted.)

ACTION: Res. 86-210 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider approving specifications and authorize call for bids to be opened on March 18, 1986, at 3:10 p.m. for furnishing tables and chairs. (The tables and chairs are requested by the Parks and Recreation Department for use at the Tuolumne River Regional Park facility for public functions. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$9,590; funds are budgeted.)

ACTION: Res. 86-211 adopted calling for bids. (Finance to handle)

11. Consider approving specifications and authorize call for bids to be opened March 18, 1986, at 3:00 p.m. for furnishing professional services for studying target industries. (Requested by the Economic Development Manager, the services will determine what industries are the most economically suited for the Modesto area. Memo with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$17,000; funds are budgeted.)

ACTION: Res. 86-212 adopted (Lang/Patterson, unan.) calling for bids. (Economic Development Director)

CONSENT

12. Consider award of contract for the construction of Pump Station No. 45. (Bids were opened on February 11, 1986. The low bid of \$76,963, submitted by Central Pump Co., is 7.5% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to them. Resolution awarding contract to Central Pump needed. Funds are budgeted.)

ACTION: Res. 86-213 adopted awarding contract. (Eng to handle)

CONSENT

13. Consider award of contract for the reconstruction of Pump Station No. 34. (Bids were opened on February 11, 1986. The low bid of \$88,424, submitted by Central Pump, is 7.02% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to Central Pump Co. Resolution awarding contract to Central Pump needed. Funds are budgeted.)

ACTION: Res. 86-214 adopted awarding contract. (Eng to handle)

CONSENT

14. Consider acceptance of Rolfe Construction's contract for the McHenry Avenue waterline extension at Hetch Hetchy to MID Lateral No. 6. (Original contract: \$52,900) (All work on the above project has been completed to the satisfaction of the Engineering 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: \$42,278; funds are budgeted.)

ACTION: Res. 86-215 adopted accepting contract as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

15. Letter from Jack R. Jones regarding transfer of stock of Modesto Garbage Co., Inc., owned by Jake and Lorraine Stokes, to their son, Gerald L. Stokes.  
(Resolution setting hearing March 4, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-216 adopted setting hearing. (Clerk to handle)

16. Letter from Carmen Sabatino requesting a resolution directing the City Manager and the City Attorney to make public itemized billings of Holland, McDonough, and Allen for services provided.

ACTION: A motion (McGrath/Patterson) to provide the requested information failed to carry.

17. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

None

NEW BUSINESS

CONSENT

18. Amend Position Classification Plan and salary resolution to redefine the class of "Drafting Technician" to "Graphics and Drafting Technician." No change in salary.  
(Memo with agenda. Resolution amending Position Classification Plan needed, and resolution amending alphabetical listing of classifications in salary resolution needed.)

ACTION: Res. 86-217 adopted amending Position Classification Plan.  
Res. 86-218 adopted amending salary schedule.  
(Management Services to handle)

19. Consider authorizing City Manager to sign deobligation agreement on rental rehabilitation grant with the Department of Housing and Urban Development.  
(Memo with agenda. HUD has rescinded \$78,000 of unused rental rehabilitation funds from fiscal year 1984-85 and \$26,000 from fiscal year 1985-86, leaving a balance of \$50,000. Resolution approving agreement needed.)

ACTION: Res. 86-219 adopted (Lang/McGrath, unan.) approving deobligating agreement regarding the \$78,000 of unused funds from fiscal year 1984-85.

Res. 86-220 adopted (Lang/McGrath, unan.) approving deobligating agreement regarding the \$26,000 of unused funds from fiscal year 1985-86.  
(Planning to handle)

CONSENT

20. Consider approval of ordinance designating a golf cart route and regulations governing driving of golf carts on golf cart routes. (This ordinance would designate a golf cart route along Fairway Drive connecting 321 Neece Drive (where carts are stored) to Modesto Municipal Golf Course. Regulations governing golf carts on this route are also proposed. Staff recommends approval. Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2409-C.S. introduced. (Clerk to handle)

CONSENT

21. Consider approval in concept that the City allow the Modesto City School District to use a portion of Woodland Park site in exchange for the City's use of a portion of Bret Harte School site for use as a neighborhood park. (Staff will draft an agreement in regard to this park and school site exchange concept. Memo with agenda. Motion approving concept needed.)

ACTION: By motion, concept approved. (P/R to handle)

22. Consider elimination of the nonmotorized fund to provide County matching funds for the Mitchell Road Bridge. (Two percent of the Countywide Local Transportation Funds have annually been set aside for nonmotorized projects and distributed based on project merit. A proposal has been made to eliminate the nonmotorized funds for two years and distribute the funds based on population. Memo with agenda. Motion directing Councilmembers who are SAAG Board members of Council position regarding nonmotorized fund needed.)

ACTION: By motion (Patterson/Lang, majority, Whiteside-no) approved staff recommendations emphasizing that future Modesto non-motorized funds are to be protected. (Manager to handle)

MISCELLANEOUS

CONSENT

23. Legislation - Staff recommends:

a. Strongly oppose

AB 2236 (Elder) - Mandated Exemption from City Utility User Taxes

b. Oppose

AB 2674 (Connelly) - Amendments to the Brown Act

c. Support

AB 139 (Deddeh) - Obscene Matter

d. Send Letters of Opposition

California Administrative Code, Title 17, Sections 7584 and 7585 -  
Backflow Prevention

(Memos and attachments with agenda. Motion accepting staff  
recommendations needed.)

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

24. Appointments

None

25.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

Councilmember Patterson asked for information about a Senior Citizen  
facility.

ADJOURNMENT

The meeting adjourned at 6:58 p.m. to Thursday, February 20, 1986, at  
3:00 p.m. at the Murphy's Hotel in Murphys, California, for a series of  
meetings by the City Council on Thursday, February 20, Friday, February  
21, and Saturday, February 22, to consider priorities and establish goals.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
February 20, 1986

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m., at the Murphys' Hotel, in Murphys, California.

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

Absent: None

The Councilmembers met for an in-depth discussion of City goals and objectives.

The meeting adjourned at 7:30 p.m. to February 21, 1986, at 8:30 a.m. at the Murphys' Hotel, in Murphys, California.

ATTEST:

  
GARTH LIPSKY, Acting City Clerk

Adjourned Regular Meeting  
Modesto City Council  
February 21, 1986

The Council of the City of Modesto met pursuant to adjournment at  
9:00 a.m., at the Murphys' Hotel, in Murphys, California.

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

Absent: None

The Councilmembers continued their discussion of City goals  
and objectives.

The meeting adjourned at 7:40 p.m. to February 22, 1986,  
at 8:30 a.m. at the Murphys' Hotel, in Murphys, California.

ATTEST:

  
GARTH LIPSKY, Acting City Clerk

Adjourned Regular Meeting  
Modesto City Council  
February 22, 1986

The Council of the City of Modesto met pursuant to adjournment at  
8:30 a.m., at the Murphys' Hotel, in Murphys, California.

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

Absent: None

The Councilmembers continued their discussion of City goals and  
objectives.

The meeting adjourned at 5:00 p.m.

ATTEST:

  
GARTH LIPSKY, Acting City Clerk

2/22/86



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, FEBRUARY 25, 1986, AT 7:30 P.M.

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

Councilmember Whiteside arrived at 7:55 p.m.

Absent: None

Pledge of Allegiance to the Flag

Invocation: Rev. Vincent R. Sanders

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 13, 14, 15, 16, 17, 18, 19, 20, 22

ACTION: (Sutton/Lang, unan., Whiteside absent)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

## MINUTES

### CONSENT

2. Approval of the minutes of the February 18, 1986, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2404-C.S. rezoning from R-1 to P-D, property located on the east side of Oakdale Road south of Floyd Avenue. (Transworld Financial Corp.)
- b. Ord. No. 2405-C.S. rezoning from R-2 and R-3 to R-1, property located between Floyd Avenue and Belharbour Drive west of Roselle Avenue. (Arlo Hilkey)
- c. Ord. No. 2407-C.S. rezoning from P-0 to P-D(104), property located between Oakdale Road and Lancey Drive. (KOSO)
- d. Ord. No. 2409-C.S. adding Sections 12-2.04 and 12-2.05 to Chapter 2 of Title XII of the Modesto Municipal Code relating to golf carts and golf cart routes.

(Motion adopting needed.)

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

4. Final adoption of Ord. No. 2406-C.S. rezoning from R-1 to P-D(394), property located on the west side of Oakdale Road, north of Wylie Drive. (G.F.F. & R.)  
(Motion adopting needed.)

ACTION: By motion (Lang/Muratore, majority, Sutton and Mayor Mensinger - no, Whiteside absent) Ord. 2406-C.S. adopted.

HEARINGS

5. Consider the proposed El Vista No. 4 Governmental Reorganization located east of El Vista Avenue between Roble Avenue and Edgebrook Drive.

ACTION: Res. 86-221 adopted (Lang/Sutton, unan., Whiteside absent) election called for June 24, to be conducted by mail.

By motion (Muratore/Patterson, unan., Whiteside absent) staff directed to study the possibility of establishing a revolving fund to assist people annexing to the City who cannot afford to hook up to the sewer. (Planning/Finance to handle)

6. Hearing to consider an amendment to Sections 2-3-8 and 3-3-8 of the Zoning Map to rezone from portions of P-D(330) and P-D(331) to R-3, property located on the northeast side of Sisk Road and south of Pelandale Avenue. (Laurence and Art Martin)  
(Continued from the January 14, 1986 meeting.)

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2400-C.S. introduced.

Res. 86-222 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

7. Hearing to consider an amendment to P-D(363) to allow a 60-unit two-story elderly housing development, property at the southwest corner of East Orangeburg and Nelson. (Fourth Leaf Development)

ACTION: Res. 86-223 adopted (Muratore/Lang, unan.) approving plan.

Res. 86-224 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

#### BIDS

#### CONSENT

8. Consider approving specifications and authorize call for bids to be opened March 25, 1986, at 3:15 p.m. for furnishing one utility crane truck and three vans.  
(Requested by the Service Division, the utility crane truck will be permanently assigned to the Sewerage Division where it will be used to perform general maintenance tasks. One van will be assigned to the Sewerage Division for use by electrical crews while the remaining two vans will be used by Parks maintenance crews. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$77,000; funds are budgeted.)

ACTION: Res. 86-225 adopted calling for bids. (Finance to handle)

9. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

Daniel Marsh discussed a meeting the County is holding concerning the environmental impact report concerning the waste to energy plant.

NEW BUSINESS

10. Second-story additions to single-family residences, R-1 zone.  
(Memo with agenda. The study was based on a BZA recommendation that second-story additions receive plan review subject to public hearing. The City Council was also interested in the matter. With only seven two-story additions in nine months, staff recommends that no further action be taken. Motion directing staff needed.)

ACTION: By motion (Whiteside/McGrath, unan.) staff directed to draft a procedure that would involve staff review to be reviewed by the Board of Zoning Adjustment and Planning Commission and make a recommendation to the Council. (Planning to handle)

11. Compensation for Planning Commissioners.  
(Memo with agenda. A Charter amendment is necessary to permit compensation for Planning Commissioners. The earliest opportunity for a public vote on the matter is the June 3, 1986, primary. Motion directing staff; or resolution calling for a special municipal election for June 3, 1986 needed, and resolution requesting the Board of Supervisors to consolidate the special election with the primary election on June 3, 1986, needed.)

ACTION: By motion (Patterson/McGrath, unan.) staff directed to prepare a proposal for the November, 1986, ballot to pay the Planning Commission members 20% of Council pay with some deduction for missed meetings. (Atty to handle)

12. Staff report regarding Yosemite Boulevard widening between Riverside Drive and McClure Road.  
(Memo with agenda. Motion acknowledging receipt of report and directing staff needed.)

ACTION: By motion (Sutton/Patterson, unan.) staff directed to proceed with the widening of Yosemite Blvd. through the use of improvement district procedures. (Planning/Eng to handle)

CONSENT

13. Consider receipt of La Loma Neighborhood Traffic Study and set informal hearing.  
(Memo with agenda. The study has been received and distributed. The La Loma representatives would like the informal hearing and presentation to be at the March 25, 1986 Council meeting. Motion acknowledging receipt of study needed, and resolution setting informal hearing March 25, 1986, at 7:30 p.m. Estimated cost: \$19,910; funds are budgeted.)

ACTION: Res. 86-226 adopted setting hearing. (Clerk to handle)

CONSENT

14. Consider authorizing staff to negotiate an agreement with DKS Associates to assist in the design of the traffic signal system at Vintage Faire. (Memo with agenda. KDS Associates was selected by an interview panel from three highly qualified firms responding to our Request for Proposals. Motion authorizing staff to negotiate with DKS Associates needed. Estimated cost: \$10,000; funds are budgeted.)

ACTION: By motion, staff authorized to negotiate with DKS Associates.  
(P/T to handle)

CONSENT

15. Presentation of Culture Commission Annual Report. (Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

16. Presentation of monthly Treasurer's Report for January, 1986. (Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

17. Consider request for sewer service to property outside City limits at 209 Glacier Avenue, located on the north side of Glacier Avenue, between Crystal Avenue and Cascade Avenue. Owners: Tony J. and Carol J. Hawkins (The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits, and no City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 86-227 adopted approving agreement. (Eng to handle)

CONSENT

18. Report of the Superintendent of Streets on the cost of installation of curb and/or sidewalk at locations listed. (Work has been completed. Costs have been calculated and a tabulation of properties, the owners, and the respective costs is listed below. Resolution setting hearing March 25, 1986, at 7:30 p.m. needed.)

1. Curb at 109 Howard Street, a portion of Block 205 (Searfin Azevedo, \$679.00)
2. Curb at 116 Howard Street, a portion of Block 208 (Robert S. Baker, \$798.00)
3. Curb and Sidewalk along Howard Street at 330 Burney Street, a portion of Block 205 (Steven Erickson, \$1,687.00)

4. Curb along Howard Street at 323 James Street, a portion of Block 208 (William R. Evans, \$709.00)
5. Curb along Burney Street and Howard Street at 316 Burney Street, a portion of Block 208 (Flora Monschein, \$1,147.00)
6. Curb at 120 Howard Street, a portion of Block 208 (Robert L. Nickerson, \$730.00)
7. Curb at 127 Howard Street, Lot 3 of Block 205, (Louis Nicolodi, \$695.00)
8. Curb along Burney Street (Mack A. Parker, \$667.00) and Howard Street (Larry L. Williams, \$444.00) at 320 Burney Street, a portion of Block 208
9. Curb at 108 Howard Street, a portion of Block 208 (Qushana Moushi Pour & Nino A. Ovro, \$865.00)
10. Curb at 117 Howard Street, Lot 2 of Block 205 (David E. Spencer, \$732.00)
11. Curb at 115 Howard Street, a portion of Block 205 (Antonio Tovar, \$575.00)
12. Curb at 130 Howard Street, a portion of Block 208 (Randy Whitman, \$675.00)
13. Curb along Howard Street at 131 Howard Street, Lot 4 of Block 205 (Roy Wood, \$948.00)
14. Sidewalk along Roble Avenue and Rosina Avenue, at 1631 Roble Avenue, Lot 9 of Block 2130 (Arnold R. Grove, \$1,179.00)
15. Sidewalk at 219 Rosina Avenue, Lot 2 of Block 2132, (Stephen R. Manchester, \$375.00)
16. Sidewalk at 425 Rosina Avenue, a portion of Block 2130 (Geraldine O. Torrealba, \$357.00)
17. Sidewalk at 341 Rosina Avenue, Lot 3 of Block 2131 (Harvey D. Wood, \$434.00)

ACTION: Res. 86-228 adopted setting hearing.

(Clerk to handle)

CONSENT

19. Reconsideration of the closure of North Morton Boulevard between Jennie Street and new State Highway 132.  
(The closure of Jennie Street was tentatively approved in August, 1984, but changed circumstances, including a new alignment for the State Highway, warrants reconsideration. It is recommended that the closure be referred to the Planning Commission for a report and recommendation. Staff report with agenda. Motion referring closure to Planning Commission needed.)

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

CONSENT

20. Recommend to Council vacation and abandonment of the 20-foot public alley in Block 65 - Modesto Irrigation District.  
(On February 3, 1986, the Planning Commission adopted Resolution 86-24 recommending to the Council the vacation and abandonment of the 20-foot public alley in Block 65. Resolution setting public hearing Tuesday, March 18, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-229 adopted setting hearing. (Clerk to handle)

21. Consider renewal of liability insurance contracts.  
(Memo with agenda. Resolution approving contracts needed. Estimated cost: \$70,000.)

ACTION: Res. 86-230 adopted renewing airport liability insurance.  
Res. 86-231 adopted renewing Errors and Omissions insurance.  
(Mgmt Services to handle)

MISCELLANEOUS

CONSENT

22. Legislation - Staff recommends:

Supporting AB1801 (Robinson) - Airport Noise Litigation

(Memo and attachments with agenda. Motion accepting staff recommendation needed.)

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

23. Appointments

None

24. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)


None

25. CLOSED SESSION  
Motion to hold closed session to discuss pending litigation

ACTION: By motion (Sutton/Whiteside, unan.) Council adjourned to closed session.

ADJOURNMENT

ATTEST:

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



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 4, 1986, AT 4:00 P.M.

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

Absent: None

Pledge of Allegiance to the Flag

Invocation: Rev. Dwight Horton, Free Methodist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24,

Removed from consent: 26

ACTION: (Lang/Muratore, unan.)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger introduced three members of Boy Scout Troup 12.

Jim Mulford, owner of Jack's on D, designated members of the Council as "Irish Elves" and invited them to a fund raiser for S.O.S.P.

## MINUTES

### CONSENT

2. Approval of the minutes of the adjourned regular meetings of February 20, 21, and 22, 1986, and the February 25, 1986, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

### UNFINISHED BUSINESS

3. Report on receipt of written bids for sale of five excess properties and oral bidding for five properties as required by the Specifications and Notice to Bidders approved by Council at its January 7, 1986, meeting. (Memo with results of written bids will be distributed at the meeting. Resolutions awarding bids for five excess properties needed.)

ACTION: Res. 86-232 adopted (Whiteside/Sutton, unan.) awarding bid to Dave R. Spears Construction for purchase of Item #1

Res. 86-233 adopted (Muratore/McGrath, unan.) awarding bid to Dave R. Spears Construction for purchase of Item #2.

Res. 86-234 adopted (Sutton/Whiteside, unan.) awarding bid to Dave R. Spears Construction for purchase of Item #3.

Res. 86-235 adopted (Muratore/Whiteside, unan.) awarding bid to Dick Bettencourt for purchase of Item #4.

Res. 86-236 adopted (Patterson/McGrath, unan.) awarding bid to Jack Sperry for purchase of Item #5.

### CONSENT

4. Final adoption of:

- a. Ord. No. 2408-C.S. amending the Zoning Regulations - Omni 9.
- b. Ord. No. 2410-C.S. rezoning from portions of P-D(330) and P-D(331) to R-3, property located on the northeast side of Sisk Road south of Pelandale. (Martin)

(Motion adopting needed.)

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

### HEARINGS

5. Hearing to consider the transfer of stock of Modesto Garbage Co., Inc., owned by Jake and Lorraine Stokes, to their son, Gerald L. Stokes. Councilmember Sutton excused due to a conflict of interest.

ACTION: Res. 86-237 adopted (Patterson/Lang, unan., Sutton absent) approving transfer. (Utility Services to handle)

6. Hearing to consider an amendment to Section 13-3-8 of the Zoning Map to rezone from R-2 to P-D(395) to allow a two-story elderly housing complex, property located on the southeast corner of Rumble Road and Conant Avenue. (Bright Development)

ACTION: By motion (McGrath/Lang, majority, Sutton, Whiteside and Mayor Mensinger-no) Ord. No. 2411-C.S. introduced.

Res. 86-238 adopted (same vote) approving plan with the deletion of Condition No. 17.

Res. 86-239 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

By motion (McGrath/Whiteside, majority, Muratore-no) staff directed to study the questions or requirements of age, parking and density. (Planning to handle)

#### BIDS

##### CONSENT

7. Consider approval of plans and specifications and call for bids for the refinishing of clarifier No. 1 at City of Modesto Water Quality Control Plant.  
(Suggested bid opening: March 18, 1986, at 11:00 a.m. This project will consist of sand blasting and coating of steel portions of Clarifier No. 1 at the City of Modesto Water Quality Control Plant. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$55,000 (contract \$50,000; engineering \$5,000); funds are budgeted.)

ACTION: Res. 86-240 adopted calling for bids. (Eng to handle)

##### CONSENT

8. Consider approval of plans and specifications and call for bids for water line extension on Fara Biundo Drive.  
(Suggested bid opening: March 18, 1986, at 11:05 a.m. Resolution approving plans and specifications and call for bids needed. Memo with agenda. Estimated cost: \$15,525 (contract \$12,750; engineering & cont. \$2,775); funds are budgeted.)

ACTION: Res. 86-241 adopted calling for bids. (Eng to handle)

##### CONSENT

9. Consider approval of plans and specifications and call for bids for the construction of Pump Station No. 46.  
(Suggested bid opening: March 25, 1986, at 11:00 a.m. This project will construct a pump station at the well site at Lincoln Oak Drive and Twin Oak Lane. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$84,590 (contract \$76,900; engineering \$7,690); funds are budgeted.)

ACTION: Res. 86-242 adopted calling for bids. (Eng to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for American Legion Hall ceiling replacement.  
(Suggested bid opening: March 18, 1986, at 11:10 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$23,400 (contract \$22,000; engineering \$1,400); funds are budgeted.)

ACTION: Res. 86-243 adopted calling for bids. (Eng to handle)

CONSENT

11. Consider calling for bids to overlay Lot 3 at 12th and I Streets.  
(Memo with agenda. Parking lot is deteriorating with age. A two-inch asphaltic concrete overlay is proposed. Suggested bid opening: April 1, 1986, at 3:00 p.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$14,000; funds are budgeted.)

ACTION: Res. 86-244 adopted calling for bids. (P/T to handle)

CONSENT

12. Consider award of contract for the Fairway Neighborhood Park soccer field improvement.  
(Bids were opened on February 25, 1986. The low bid of \$506,961.32, submitted by Rolfe Construction, is 5.86% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to Rolfe Construction, Inc. Funds are budgeted.)

ACTION: Res. 86-245 adopted awarding contract. (Eng to handle)

CONSENT

13. Consider authorizing the purchase of one gang mower and trailer from Duke Equipment and Irrigation for the total price of \$39,449.  
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 86-246 adopted authorizing purchase. (Finance to handle)

CONSENT

14. Consider acceptance of Bond Construction's contract for the water line extension in Shaddox Avenue. (Original contract: \$33,662)  
(All work on this project has been completed to the satisfaction of Engineering Department. Therefore, it is in order to accept the ' complete and to file the Notice of Completion. Resolution accept as complete needed. Final cost: \$34,523.80; funds are budgeted)

ACTION: Res. 86-247 adopted accepting as complete.

CONSENT

15. Consider acceptance of Bowers Co. contract for the water line extension on Paradise Road. (Original contract: \$49,783.50)  
(All work on this project has been completed to the satisfaction of the Engineering 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: \$48,934.50; funds are budgeted.)

ACTION: Res. 86-248 adopted accepting as complete. (Clerk to handle)

CONSENT

16. Consider waiving formal bid procedures and authorizing the purchase of fifteen Police patrol cars through State of California Cooperative Purchasing Program for a total price of \$176,222.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 86-249 adopted waiving formal bid procedures. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

17. Letter from John R. Doxey & Associates requesting that a landscape maintenance district be established in the Yosemite No. 1 trunk sewer extension area.  
(Motion referring to staff needed.)

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

CONSENT

18. Letter from Downtown Improvement District requesting the use of downtown sidewalks for selling merchandise on March 12, 13, 14 and 15, 1986.  
(Motion approving request needed.)

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

19.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

None

NEW BUSINESS

20. Consider installing audible traffic signal at Washington-H Street - Modesto High School.  
(Memo with agenda. Community Development Block Grant Funds are available. Motion directing staff needed. Estimated cost: \$500; funds are budgeted.)  
(Councilmember Lang will be excused due to a conflict of interest.)

ACTION: By motion (Muratore/Whiteside, unan., Lang absent) staff directed to attempt to work out a joint powers agreement with Modesto School District to install the signal on a trial basis. (P/T to handle)

CONSENT

21. Consider deferring Claus Road Drainage Area fees on two parcels on the south side of East Orangeburg Avenue at Held Drive.  
(Memo with agenda. Resolution authorizing deferment of Claus Road Drainage Area fees needed.)

ACTION: Res. 86-250 adopted authorizing deferment. (Eng to handle)

CONSENT

22. Consider adoption of a resolution exercising the City's option to not succeed to Open Space Contract No. 75-1816 - Charlotte Pikes.  
(This contract pertains to a 11.7-acre property in the Woodland-Morse Governmental Reorganization which annexed the Pike property at the southeast corner of Woodland Avenue and Morse Avenue. The City Council protested this contract and the protest was upheld by LAFCO. It is recommended that the Council adopt a resolution electing not to succeed to the contract to allow urban development of the property. Memo with agenda. Resolution electing to not succeed to Open Space Contract No. 75-1826 needed.)

ACTION: Res. 86-251 adopted electing to not succeed to Open Space Contract. No. 75-1826. (Planning to handle)

CONSENT

23. Availability of additional street maintenance funds and proposal for use.  
(Memo with agenda. Resolution amending Fiscal Year 1985-86 Annual Budget to estimate additional SB 300 revenue and appropriate to Miscellaneous Resurfacing Account needed.)

ACTION: Res. 86-252 adopted amending budget. (Finance to handle)

CONSENT

24. Consider a supplemental agreement with the State of California for the acquisition of Federal funds to be used in the resurfacing of Tully Road from Standiford to the north City limits.  
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$164,695. Funds are budgeted.)

ACTION: Res. 86-253 adopted approving agreement. (Eng to handle)

25. Consideration of liability insurance coverage.  
(Memorandum will be forthcoming. Resolutions authorizing City Manager to sign contracts for liability insurance coverage. Estimated cost: \$400,000; funds are budgeted.)

ACTION: Res. 86-254 adopted (McGrath/Whiteside, unan.) approving contract with Hamilton/Meridian for transit liability.  
(Management Services to handle)

MISCELLANEOUS

26. Legislation - Staff recommends:

SUPPORT

- a. AB 2020 (Margolin) - Beverage Containers: Refund Value
- b. SB 282 (Mello) - Integrated Financing District Act
- c. SB 367 (Foran) - Transportation Finance
- d. AB 294 (Floyd) - Sales & Use Taxes  
Dropped from agenda
- e. SB 1707 (Maddy) - Williamson Act Subventions
- f. SB 1717 (Maddy) - California Agricultural Natural and Park Lands Conservation Bond Act

OPPOSE

- g. AB 22-6 (Cortese) - Property Tax Transfer Upon Annexation  
  
(Memos and attachments with agenda. Motion accepting staff recommendations needed.)

ACTION: By motion (Whiteside/Sutton, unan.) staff recommendations on all except "d" approved and staff directed to urge the League of California Cities to support SB 1707. (Mgmt. Services to handle)

27. Appointments

None

28.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

ACTION: There was a discussion of the notice that Wings West will be terminating its Modesto to Los Angeles service.

ADJOURNMENT

The meeting adjourned at 6:05 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

March 11, 1986

The meeting of the City Council was called to order at 7:30 p.m. in the City Council Chambers, City Hall, Modesto, California, by the City Clerk.

Present: Councilmember Lang

Absent: Councilmembers McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

There being a lack of a quorum, the meeting was adjourned.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 18, 1986, AT 4:00 P.M.

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

Absent: Sutton

Pledge of Allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 10, 11, 12, 13,  
15, 18, 19, 20, 21, 22, 24, 25, 26,  
27, 28, 29, 30, 31, 32, 33

Dropped from agenda: 17  
Removed from Consent: 23

ACTION: (Whiteside/Lang, unan., Sutton absent)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of Outstanding Certificate awarded to the City of Modesto by the California Society of Municipal Finance Officers for financial reporting excellence - Fiscal Year 1984-85.  
(Memo with agenda. Mayor Mensinger to present the award to Finance Director.)

Mayor Mensinger presented the award to Director of Finance Pete Brock.

## MINUTES

### CONSENT

2. Approval of the minutes of the March 4, 1986, and March 11, 1986, regular City Council meetings.  
(Motion approving needed.)

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

## UNFINISHED BUSINESS

3. Final adoption of Ord. No. 2411-C.S. rezoning from R-2 to P-D(395), property located on the southeast corner of Rumble Road and Conant Avenue. (Bright Development)  
(Motion adopting needed.)

ACTION: By motion (McGrath/Lang, majority, Whiteside and Mayor Mensinger - no, Sutton absent) Ord. No. 2411-C.S. adopted. (Clerk to handle)

## HEARINGS

4. Hearing to consider vacation and abandonment of the 20-foot public alley in Block 65.

ACTION: By motion (Lang/Whiteside, unan., Sutton absent) Council indicated its intention to vacate and abandon the alley. (Planning to handle)

## BIDS

### CONSENT

6. Consider award of contract for the construction of the Airport terminal access road, T-hangar and helicopter pad.  
(Bids were opened March 4, 1986, at 11:00 a.m. The low bid of \$292,963, submitted by Granite Construction Company, is 21% 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 Granite Construction needed. Funds are budgeted.)

ACTION: Res. 86-255 adopted awarding contract. (Eng to handle)

### CONSENT

7. Consider award of contract for Wright Street water strengthening project.  
(Bids were opened March 4, 1986, at 11:15 a.m. The low bid of \$101,450, submitted by Dem-Con Engineering is 3% below the engineer's estimate and considered acceptable. It is recommended the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Dem-Con Engineering needed. Funds are budgeted.)

ACTION: Res. 86-256 adopted awarding contract. (Eng to handle)

CONSENT

8. Consider award of contract for water line extension on Semallon Avenue. (This water line will provide water to the subdivision on Semallon Avenue, between Perlette Way and Lindsay Avenue. Bids were opened on March 11, 1986. The low bid of \$21,876, submitted by Bond Construction, is 6.32% below the engineer's estimate and considered acceptable. Memo and bid tabulation with agenda. It is recommended that the contract be awarded to Bond Construction. Resolution awarding contract to Bond Construction needed. Funds are budgeted.)

ACTION: Res. 86-257 adopted awarding contract. (Eng to handle)

CONSENT

9. Consider award of contract for construction of shade structures for picnic areas at Davis and Downey Parks. (Bids were opened March 4, 1986, at 11:10 a.m. The low bid of \$176,118.50, submitted by Howell Construction, Inc. is 10.16% below the engineer's estimate. Memo and bid tabulation with agenda. It is recommended that the contract be awarded to them. Resolution awarding contract to Howell Construction, Inc. needed. Funds are budgeted.)

ACTION: Res. 86-258 adopted awarding contract. (Eng to handle)

CONSENT

10. Consider declaring A. L. Castle low bidder and authorize the purchase of 43 tons of fertilizer from the firm for the total price of \$18,039. (Memorandum with agenda. Resolution awarding bid to A. L. Castle needed. Funds are budgeted.)

ACTION: Res. 86-259 adopted awarding bid. (Finance to handle)

CONSENT

11. Consider authorizing the purchase of four laser printers, two emulation boards, and seven monitor arms from Mid-State Office Systems for the total price of \$22,057.04. (Memorandum with agenda. Resolution awarding bid to Mid-State Office Systems needed. Funds are budgeted.)

ACTION: Res. 86-260 adopted awarding bid. (Finance to handle)

CONSENT

12. Consider accepting contract of Safety Striping Service for installing raised pavement markers as complete. (Memo with agenda. The \$72,205 cost of installing 58,000 raised pavement markers on various City streets will be reimbursed by a 90% to 100% Federal Highway Administration grant. Resolution accepting work as complete and directing City Clerk to file Notice of Completion needed. Funds are budgeted.)

ACTION: Res. 86-261 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider waiving formal bid procedures and authorizing the purchase of traffic signal repair parts from Econolite Corporation for the total amount of \$7,861.

(Requested by the Utility Services Electrical Division, the parts will be used to repair Econolite traffic signals located throughout the City. Repairs are done on a regular basis throughout the fiscal year. Econolite Corporation is the sole supplier for the parts. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 86-262 adopted waiving formal bid procedures. (U.S. to handle)

WRITTEN COMMUNICATIONS

14. Request of Basic Resources for revocation of alley encroachment permit in Block 68.

ACTION: Res. 86-263 adopted (Muratore/Whiteside, majority, McGrath-no, Sutton absent) allowing two weeks time to complete the alley, with the dumpster to be moved in one day, or the resolution approving the alley closure will be rescinded. (Eng to handle)

CONSENT

15. Letter of resignation as Chairperson of Advisory Committee No. 3 from Sally Todaro.

(Resolution accepting resignation with regret needed.)

ACTION: Res. 86-264 adopted accepting resignation. (Clerk to handle)

16. MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

None

NEW BUSINESS

CONSENT

17. Amend the Position Classification Plan and salary resolution to add one new class (Deputy City Clerk) and revise two classes (Assistant City Clerk and Assistant to the City Manager).

(Memos with agenda. Resolution amending Position Classification Plan needed, and resolution amending Alphabetical Listing of Classifications in the salary resolution needed. Funds are budgeted.)

Dropped from agenda

CONSENT

18. Set hearing on report of Superintendent of Streets on the cost of curb and/or sidewalk at various locations.  
(Work has been completed. Costs have been calculated and a tabulation of properties, the owners, and respective costs follows. Resolution setting hearing April 8, 1986 at 7:30 p.m. needed.)

1. Curb and Sidewalk along Conejo Avenue at 234 Conejo Avenue, a portion of Block 2184-A (Anthony H. Delfin - \$1997.00)
2. Sidewalk at 213 Conejo Avenue, Lot 3 of Block 2157 (William H. Padgett - \$369.00)
3. Sidewalk along Conejo Avenue at 201 Conejo Avenue, Lot 6 of Block 2157 (Carolyn D. Pester - \$393.00)
4. Sidewalk along Haddon Avenue and Conejo Avenue at 301 Conejo Avenue, Lot 13 of Block 2159 (Perry L. Sanders - \$1,075.00)
5. Sidewalk along Conejo Avenue at 225 Conejo Avenue, Lot 1 of Block 2157 (Margaret G. Wong - \$501.00)
6. Curb along Dawn Drive at 1244 Melrose Avenue, Lot 21 of Block 1125 (George E. Hillman - \$1864.00)
7. Curb at 1217 Fiori Avenue, Lot 8 of Block 1125 (Geoff D. Lish - \$976.00)
8. Curb along Fiori Avenue, at 521 E. Roseburg Avenue, Lot 9 of Block 1125 (Phillip Nisonger & John V. Peterson - \$1924.00)
9. Curb along Melrose Avenue at 1405 Melrose Avenue, a portion of Block 1190 (Peter P. Rojo - \$1324.00)
10. Curb along Melrose Avenue and Dawn Drive at 1312 Melrose Avenue, a portion of Block 1138 (Betty F. Schroder - \$2914.00)
11. Sidewalk along Paradise Road at 1000 Beverly Drive, and 1027 Paradise Road, a portion of Block 4014 (Eugene R. Abel - \$2123.00)
12. Sidewalk at 1516 Pearl Street, Lot 19 of Block 6080 (Charlie L. Bringle - \$372.00)
13. Sidewalk at 1520 Pearl Street, Lot 20 of Block 6080 (Mary Byington - \$392.00)
14. Sidewalk at 1532 Pearl Street, Lot 23 of Block 6080 (Kim R. Montgomery and James Rocco Hollaway - \$452.00)
15. Sidewalk repair at 1130 Coffee Road, Lot A of Block 1099 (Richards, Tallent, Durosette \$231.00)

16. Sidewalk at 421 Rosina Avenue, a portion of Block 2130 (Edward M. Sanchez - \$351.00)

ACTION: Res. 86-265 adopted setting hearing. (Clerk to handle)

CONSENT

19. Consider approval of the final map of East Lake Estates subdivision of the City of Modesto. (Subdividers: Resource Development and Washington Savings and Loan Association.)  
(The subdivision agreement has been signed and all fees paid. East Lake Estates is located between East Briggsmore Avenue and Merle Avenue, west of Roselle Avenue. It contains 35.51 acres. Resolution approving final map needed.)

ACTION: Res. 86-266 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider acceptance of improvements in Cape Cod Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developers: Pan Capital, World Investments No. 5, and World Investments No. 6)  
(Cape Cod Estates subdivision is located on the west side of Ustick Road between Hatch Road and Turlock Irrigation District Lateral No. 1. All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 86-267 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

21. Consider approving agreement with Neil H. and Mary Jean Coeur-Barron for the acquisition of 1,350+ square feet of their property needed to install sidewalks at 601 Virginia (Coldwell frontage).  
(The Coeur-Barrons have agreed to sell the required right of way for the appraised value of \$5,000. This acquisition will allow for the completion of sidewalks on this street. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 86-268 adopted approving agreement. (Utility Serv to handle)

CONSENT

22. Consider authorizing the City Manager to sign the Housing Assistance Plan for the period of October 1, 1985, to September 30, 1988.  
(The Housing Assistance Plan is required of HUD grantees and was approved by a vote at a Citizens Housing and Community Development Committee meeting of February 28, 1986. Resolution authorizing City Manager to sign the Housing Assistance Plan for submission to HUD needed.)

ACTION: Res. 86-269 adopted authorizing City Manager to sign Housing Assistance Plan. (Planning to handle)

23. Consider approving agreement with Sybil M. Thompson, Sybil M. Thompson, as trustee of the estate of O. C. Thompson, and Lucille Grempe for the lease of 819 - 10th Street for use by Police Department Special Investigations Detail and Stanislaus Drug Enforcement Agency. (Space is needed for both law enforcement units. Inadequate room available at the Modesto Police Department. Memo with agenda. Resolution approving lease agreement needed.)

ACTION: Res. 86-270 adopted (Lang/Patterson, unan., Sutton absent) approving agreement. (Police to handle)

CONSENT

24. Consider amendment to agreement with Orrick, Herrington & Sutcliffe to provide additional specialized legal services in connection with the Waste-to-Energy project. (Memo with agenda. Resolution approving amendment to agreement needed. Estimated cost: Not to exceed \$45,000. To be paid from the Waste-to-Energy Trust Fund administered by Stanislaus County.)

ACTION: Res. 86-271 adopted approving amended agreement. (Utility Services to handle)

CONSENT

25. Consider entering into an agreement with Public Resources Advisory Group to provide advisory support to the City and County during the escrow period of the Waste-to-Energy project. (Memo with agenda. Resolution approving agreement needed. Estimated cost: \$38,500 (not to exceed \$50,000). To be paid from the Waste-to-Energy Trust Fund administered by Stanislaus County.)

ACTION: Res. 86-272 adopted approving agreement. (Utility Serv to handle)

CONSENT

26. Consider approving agreement with Larry A. and Patricia L. Askew and David and Sandra Mesenhimer, dba Modesto Flight Center for their operation at the Airport. (This is a one-year renewal of an existing lease. Modesto Flight Center leases office space in Hangar No. 1 and a tie-down area. Rent for the office is established by resolution of the Council and is currently \$165 per month. The tie-down area is \$87 per month. All other terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 86-273 adopted approving agreement. (Utility Serv to handle)

CONSENT

27. Consider proposal for reorganization of Modesto Arts Advisory Council (M.A.A.C.). (Memorandum with agenda. Resolution creating the Modesto Arts in Action Committee needed.)

ACTION: Res. 86-274 adopted creating the Modesto Arts in Action Committee. (P/R to handle)

CONSENT

28. Presentation of monthly Treasurer's Report for February, 1986.  
(Copies of the report will be presented at the meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

29. Utility billing and cashiering systems replacement - Finance Department.  
(Memo with agenda. Resolutions amending the 1985-86 budget, approving agreement, authorizing purchase of IBM equipment, and authorizing a request for proposals for remittance processing equipment needed. Estimated cost: \$298,000. Funds are budgeted.)

ACTION: Res. 86-275 adopted amending budget.

Res. 86-276 adopted approving agreement with American Management Systems, Inc.

Res. 86-277 adopted authorizing purchase of IBM equipment.

Res. 86-278 adopted authorizing a request for proposals for remittance processing equipment. (Finance to handle)

CONSENT

30. Consider request for refund of \$1,460.91 for overpayment of Business License Tax by M & M Russell Sales Co.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 86-279 adopted approving refund. (Finance to handle)

CONSENT

31. Consider authorizing staff to solicit Request for Proposals for a consulting engineer for City/County Waste-to-Energy facility.  
(Memo with agenda. Resolution authorizing staff to solicit Request for Proposals needed.)

ACTION: Res. 86-280 adopted authorizing staff to solicit Request for Proposals. (Utility Services to handle)

CONSENT

32. Set date to amend the subdivision regulations to amend Section 4.4.506 of the Modesto Municipal Code pertaining to Lot Line adjustments.  
(On March 3, 1986, the Planning Commission adopted Resolution No. 86-42 recommending to the City Council an amendment to Section 4-4.506 of the Modesto Municipal Code (Subdivision Regulations) pertaining to lot line adjustments. Resolution setting hearing April 15, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-281 adopted setting hearing. (Clerk to handle)

MISCELLANEOUS

CONSENT

33. Legislation: Staff recommends:

SUPPORTING

- a. AB 2666 (Condit) - Public Utilities
- b. Proposition 46, Property Taxation
- c. Proposition 47, Allocation of Vehicle License Fee Taxes to Counties and Cities

(Memos and attachments with agenda. Motion accepting staff recommendations needed.)

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

34. Appointments

ACTION: Res. 86-282 adopted (Patterson/Lang, unan., Sutton absent) appointing members to new Recycling Committee (John Sutton, Harold Reno, Connie Harris, Mike Johnson, Jim Knox, Adrian Mendoza, Myrtle Osner, Stan Simmons)

Res. 86-283 adopted (Lang/Whiteside, majority, McGrath-no, Sutton absent) appointing two new members to the Board of Zoning Adjustment bringing the total members to seven. (Ray Feller and Paul Vogelzang)

Res. 86-284 adopted (Whiteside/Patterson, unan., Sutton absent) appointing members to new International Friendship Committee (Kamruddin Shams, Michael Garcia, Linda Hoile, Buddy Iwata, Don Knies, John B. Mensinger, Albert L. Thompson, Sandy Wood, Armida Zavala)

(Clerk to handle)

35.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

Councilmember Patterson requested an update on the activities concerning the waste-to-energy project. (Utility Services to handle)

By motion (Lang/Muratore, unan., Sutton absent) Council indicated its intention to continue the hearing concerning the LaLoma traffic study to May 13, 1986, at 7:30 p.m. (Clerk to handle)

ADJOURNMENT

The meeting adjourned at 5:20 p.m. to closed session to discuss a personnel matter.

ATTEST:   
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MARCH 25, 1986, AT 7:30 P.M.

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

Absent: Councilmembers Sutton, Whiteside

Pledge of Allegiance to the Flag

Invocation: Rev. Benny Edwards, Good News Baptist Church, Tracy

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 9, 10, 11, 12, 13,  
14, 15, 16, 18, 20, 21, 22, 23, 24,  
25, 26, 27

ACTION: (Lang/Patterson, unan., Sutton and Whiteside absent)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

### MINUTES

CONSENT

2. Approval of the minutes of the March 18, 1986, regular City Council meeting.  
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Consider staff recommendation on Human Relations Commission Annual Report. (Report with agenda. Motion accepting staff recommendations for implementation of goals and objectives from Commission's Annual Report.

ACTION: By motion (Lang/Patterson, unan., Sutton and Whiteside absent) recommendations concerning the Commission's goals and objectives were approved. (Mgmt Services to handle)

HEARINGS

4. Hearing to consider report of Superintendent of Streets on the cost of construction of curb and/or sidewalk at the following locations:

1. Curb at 109 Howard Street, a portion of Block 205 (Searfin Azevedo, \$679.00)

Dropped from agenda

2. Curb at 116 Howard Street, a portion of Block 208 (Robert S. Baker, \$798.00 - Installment payments over ten years requested.)

ACTION: Res. 86-285 adopted (McGrath/Lang, unan., Sutton, Whiteside, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

3. Curb and Sidewalk along Howard Street at 330 Burney Street, a portion of Block 205 (Steven Erickson, \$1,687.00 - Installment payments over ten years requested.)

ACTION: Res. 86-286 adopted (McGrath/Lang, unan., Sutton, Whiteside, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

4. Curb along Howard Street at 323 James Street, a portion of Block 208 (William R. Evans, \$709.00 - Installment payments over ten years requested.)

ACTION: Res. 86-287 adopted (McGrath/Lang, unan., Sutton, Whiteside, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

5. Curb along Burney Street and Howard Street at 316 Burney Street, a portion of Block 208 (Flora Monschein, \$1,147.00)

ACTION: Res. 86-288 adopted (McGrath/Lang, unan., Sutton, Whiteside, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

6. Curb at 120 Howard Street, a portion of Block 208 (Robert L. Nickerson, \$730.00)

ACTION: Res. 86-289 adopted (McGrath/Lang, unan., Sutton, Whiteside, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

7. Curb at 127 Howard Street, Lot 3 of Block 205, (Louis Nicolodi, \$695.00)

Dropped from agenda

8. Curb along Burney Street (Mack A. Parker, \$667.00) and Howard Street (Larry L. Williams, \$444.00) at 320 Burney Street, a portion of Block 208

ACTION: Res. 86-290 adopted (McGrath/Lang, unan., Sutton, Whiteside, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

9. Curb at 108 Howard Street, a portion of Block 208 (Qushana Moushi Pour & Nino A. Ovro, \$865.00 - Installment payments over ten years requested.)

ACTION: Res. 86-291 adopted (McGrath/Lang, unan., Sutton, Whiteside, absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

10. Curb at 117 Howard Street, Lot 2 of Block 205 (David E. Spencer, \$732.00)

ACTION: Res. 86-292 adopted (McGrath/Lang, unan., Sutton, Whiteside, ) confirming report, assessing costs and directing method of collection. (Finance to handle)

11. Curb at 115 Howard Street, a portion of Block 205 (David E. Spencer, \$575.00)

ACTION: Res. 86-293 adopted (McGrath/Lang, unan.) confirming report, assessing costs and directing method of collection.

12. Curb at 130 Howard Street, a portion of Block 205 (David E. Spencer, \$575.00)

ACTION: Res. 86-294 adopted (McGrath/Lang, unan., Sutton, Whiteside absent) this p.m. confirming report and directing method of collection. (Clerk to handle)

13. Curb along Howard Street at 131 Howard Street, Lot 4 of Block 205  
(Roy Wood, \$948.00)
- ACTION: Res. 86-295 adopted (McGrath/Lang, unan., Sutton, Whiteside, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)
14. Sidewalk along Roble Avenue and Rosina Avenue, at 1631 Roble Avenue,  
Lot 9 of Block 2130 (Arnold R. Grove, \$1,179.00 - Installment  
payments over ten years requested.)
- ACTION: Res. 86-296 adopted (McGrath/Lang, unan., Sutton, Whiteside, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)
15. Sidewalk at 219 Rosina Avenue, Lot 2 of Block 2132, (Stephen R.  
Manchester, \$375.00 - Installment payments over seven years  
requested.)
- ACTION: Res. 86-297 adopted (McGrath/Lang, unan., Sutton, Whiteside, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)
16. Sidewalk at 425 Rosina Avenue, a portion of Block 2130 (Geraldine O.  
Torrealba, \$357.00 - Installment payments over seven years  
requested.)
- ACTION: Res. 86-298 adopted (McGrath/Lang, unan., Sutton, Whiteside, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)
17. Sidewalk at 341 Rosina Avenue, Lot 3 of Block 2131 (Harvey D. Wood,  
\$434.00 - Installment payments over eight years requested.)
- ACTION: Res. 86-299 adopted (McGrath/Lang, unan., Sutton, Whiteside, absent)  
confirming report, assessing costs and directing method of  
collection. (Finance to handle)
5. Informal hearing on La Loma Neighborhood Traffic study.  
(At its meeting of March 19, 1986, Council indicated its intent to  
continue this hearing to May 13, 1986, at 7:30 p.m.)
- ACTION: By motion (Lang/Patterson, unan., Sutton and Whiteside absent) this  
item was continued to May 13, 1986, at 7:30 p.m.  
(Clerk to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for the replacement of the desander unit at City Well No. 27.  
(Suggested bid opening: April 8, 1986, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$31,350 (contract \$28,500; engineering \$2,850); funds are budgeted.)

ACTION: Res. 86-300 adopted calling for bids. (Eng to handle)

CONSENT

7. Consider approval of plans and specifications and call for bids for strengthening water system on Sycamore Avenue between Roseburg and Orangeburg.  
(Suggested bid opening: April 8, 1986, at 11:05 a.m. Resolution approving plans and specifications and call for bids. Estimated cost: \$54,296 (contract \$49,360; engineering & cont. \$4,936); funds are budgeted.)

ACTION: Res. 86-301 adopted calling for bids. (Eng to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for 1986 street overlays.  
(Suggested bid opening: April 15, 1986, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$616,905 (contract \$560,823; engineering & cont. \$56,082); funds are budgeted.)

ACTION: Res. 86-302 adopted calling for bids. (Eng to handle)

CONSENT

9. Consider award of contract for refinishing clarifier No. 1 at the Water Quality Control Plant.  
(Bids were opened on March 18, 1986. Memo and bid tabulation with agenda. The low bid of \$49,500, submitted by Sancon Engineering is less than 1% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Sancon Engineering. Resolution awarding contract to Sancon Engineering needed. Funds are budgeted.)

ACTION: Res. 86-303 adopted awarding contract. (Eng to handle)

CONSENT

10. Consider award of contract for the American Legion Hall ceiling replacement.  
(Memo and bid tabulation with agenda. Resolution awarding contract to Howell Construction. Estimated cost: \$28,824; funds are budgeted.)

ACTION: Res. 86-304 adopted awarding contract. (Eng to handle)

CONSENT

11. Consider acceptance of Modesto Sand and Gravel's contract for the bank repair and slope protection project at Claus Road outfall, Scenic/Lakewood outfall, and Moose Park. (Original contract and final cost: \$121,990)  
(Memo with agenda. All work on this project has been completed to the satisfaction of the Engineering 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. 86-305 adopted accepting work as complete. (Clerk to handle)

CONSENT

12. Consider acceptance of George Reed's contract for the construction of Beyer Community Park. (Original contract: \$210,360)  
(Memo with agenda. All work on this project has been completed to the satisfaction of the Engineering 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. Final cost: \$211,486.95; funds are budgeted.)

ACTION: Res. 86-306 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider a request by Dyn Construction Corporation for a reduction in retention on the Water Quality Control Plant Expansion Project, Unit. 1. (The project is substantially complete except for a few items of construction and final contractual paper work. The contractor's request is based on this fact. Memo with agenda. Resolution finding project to be substantially complete and reducing the retention to 2-1/2% of the work completed needed.)

ACTION: Res. 86-307 adopted finding project to be substantially complete. (Utility Services to handle)

WRITTEN COMMUNICATIONS

CONSENT

14. Letter of resignation from the Human Relations Committee from Bea Acosta. (Resolution accepting resignation with regret needed.)

ACTION: Res. 86-308 adopted accepting resignation. (Clerk to handle)

CONSENT

15. Letter of resignation from the Culture Commission from Hector Lozano. (Resolution accepting resignation with regret needed.)

ACTION: Res. 86-309 adopted accepting resignation. (Clerk to handle)

CONSENT

16. Amended application by Stewart N. Tabak, on behalf of Jennifer Humphrey, for leave to present a late claim.  
(Resolution approving request for leave to present late claim needed.)

ACTION: Res. 86-310 adopted approving request for leave to present late claim. (Clerk to handle)

17. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

Joseph Morehead spoke about people losing their homes while the Covell Hotel is being rehabilitated.

NEW BUSINESS

CONSENT

18. Consider excusing Councilmembers McGrath, Muratore, Patterson, Sutton, Whiteside and Mayor Mensinger for being absent from the March 11, 1986, City Council meeting due to their attendance at the National League of Cities annual Congressional-Cities conference in Washington, D.C.  
(Motion excusing needed.)

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

19. Consider recommendation from the Culture Commission to retain Jennie-Grand bridge.  
(Memorandum with agenda. Motion directing staff needed.)

ACTION: By motion (Lang/Muratore, unan., Sutton, Whiteside absent) Culture Commission recommendation approved. (P/T to handle)

CONSENT

20. Consider request for sewer service to property outside City limits at 1305 Garden Avenue, located on the north side of Garden Avenue between Sutter Avenue and Colorado Avenue. (Owner: Michael Ernest Phillips)  
(The property owner has signed an agreement to annex when requested to do so by City. The property is not contiguous to City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 86-311 adopted approving agreement. (Eng to handle)

CONSENT

21. Consider approval of the final map of Diablo Hills Unit No. 1 subdivision of the City of Modesto and authorizing an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.  
(Subdividers: Lodi Development, Inc.)  
(The subdivision agreement has been signed and all fees paid. Diablo Hills Unit No. 1 subdivision is located on the northeast corner of Morse Road and Kansas Avenue. It contains 21.6180 acres. Resolution approving final map needed.)

ACTION: Res. 86-312 adopted approving final map. (Clerk to handle)

CONSENT

22. Consider acceptance of improvements in Oakwood Residential Park subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Guarantee Savings & Loan Association, Inc.) (Oakwood Residential Park subdivision is located at the southwestern corner of Oakdale Road and East Orangeburg Avenue. 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. 86-313 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

23. Consider adding Timothy Avenue to the Mandatory Sidewalk Program. (The City has received a request to require the installation of curb and sidewalk to improve drainage. Memo with agenda. Resolution adding Timothy Avenue to the Mandatory Sidewalk Program needed. Estimated cost: Funds are budgeted.)

ACTION: Res. 86-314 adopted adding Timothy Avenue to the Mandatory Sidewalk Program. (Eng to handle)

CONSENT

24. Amend the Position Classification Plan and salary resolution to add one new class (Deputy City Clerk) and revise one class (Assistant City Clerk). (Memo with agenda. Resolution amending Position Classification Plan needed, and resolution amending alphabetical listing of classifications in the salary resolution needed.)

ACTION: Res. 86-315 adopted amending Position Classification Plan.

Res. 86-316 adopted amending Salary Schedule. (Management Services to handle)

CONSENT

25. Consider approving Hold Harmless agreement with Yosemite Junior College District. (This Hold Harmless Agreement is required by the Yosemite Junior College District in place of a certificate of insurance. Resolution approving Hold Harmless agreement needed.)

ACTION: Res. 86-317 adopted approving Hold Harmless agreement. (P/R to handle)

CONSENT

26. Consider approving the sale of Federal Aid to Urban Highways (FAU) funds to the Santa Clara County Traffic Authority. (Memo with agenda. Resolution approving sale of FAU funds and authorizing City Manager to sign sales agreement with Santa Clara County Traffic Authority needed.)

ACTION: Res. 86-318 adopted approving sale of FAU funds and authorizing signing of sales agreement. (Finance to handle)

MISCELLANEOUS

CONSENT

27. Legislation: Staff recommends:

Supporting

- a. AB 990 (McAlister) - Insured Workers' Income Security and Rehabilitation Act.
- b. SB 1470 (McCorquodale) - Illicit Drug Sales.
- c. Proposition 52 - County Correctional Facility Capital Expenditure Bond Act of 1986
- d. S. 2166 (Durenburger) - Tax-Exempt Financing

(Memos and attachments with agenda. Motion accepting staff recommendations needed.)

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

28. Appointments

ACTION: Res. 86-319 adopted (Lang/Muratore, unan., Sutton, Whiteside absent) accepting Jim Knox's resignation from the Recycling Committee. (Clerk to handle)

29.

MATTERS TOO LATE FOR THE AGENDA

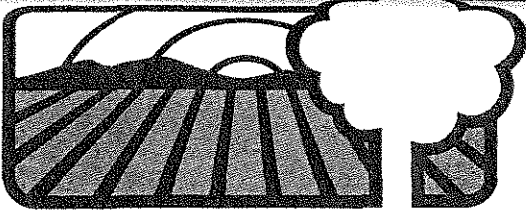
(These may be presented by members of the City Council and staff.)

ACTION: Res. 86-320 adopted (Lang/Patterson, unan., Sutton, Whiteside absent) authorizing City Manager to sign Hold Harmless agreement for Police Department use of property of other public agencies. (Police to handle)

ADJOURNMENT

The meeting adjourned at 8:20 p.m.

ATTEST:   
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 1, 1986, AT 4:00 P.M.

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

Absent: Councilmember Sutton

Pledge of Allegiance to the Flag

Invocation: Rev. Roy Blakeley, Neighborhood Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 10, 12, 13, 14,  
Removed from Consent: 11 15, 16, 17, 18, 19, 21

ACTION: (Lang/Whiteside, unan., Sutton absent)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

### MINUTES

#### CONSENT

2. Approval of the minutes of the March 25, 1986, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

### HEARINGS

3. Hearing to consider an amendment to Section 14-3-9 of the Zoning Map to rezone from R-1 to P-D(397) to allow a residential condominium development, property located at the northeast corner of Oakdale Road and Merle Avenue. (Florsheim Properties)

ACTION: By motion (Lang/Muratore, unan., Sutton absent) Ord. No. 2412-C.S. introduced.  
Res. 86-321 adopted (same vote) approving development plan.  
Res. 86-322 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

### BIDS

#### CONSENT

4. Consider approval of plans and specifications and call for bids for installation of asphalt concrete curb and paving at the City of Modesto Water Quality Control Plant.  
(Suggested bid opening: April 22, 1986, at 11:05 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$15,233.90 (contract \$13,849; engineering \$1,384.90). Funds are budgeted.)

ACTION: Res. 86-323 adopted calling for bids. (Eng. to handle)

### WRITTEN COMMUNICATIONS

#### CONSENT

5. Request of Stanislaus County Fourth of July Committee for assistance for the July 4, 1986, Celebration.  
(Motion referring to staff for recommendation needed.)

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

6. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

None

### NEW BUSINESS

7. Consider City-County Joint Transportation Committee recommendations on transit.  
(Memo with agenda. The recommendations cover transit advertising, the bus and Dial-A-Ride (DAR) contracts, and an expansion of the DAR service area. Motion authorizing staff to proceed with recommendations and authorizing expansion of the DAR boundaries needed. Estimated cost for DAR boundary expansion - \$900 annually. Funds are budgeted.)

ACTION: By motion (McGrath/Lang, unan., Sutton absent) approved recommendations regarding the DAR service area.  
Councilmember Muratore stepped down on Item III due to a conflict of interest.  
By motion (McGrath/Whiteside, unan., Sutton absent) Intracity Transit recommendations approved. and Muratore  
By motion (McGrath/Lang, unan., Sutton/absent) approved recommendations regarding advertising agency. (P/T to handle)

8. Consider taxi parking at Greyhound depot, 10th & G Streets.  
(Memo with agenda. Staff and City Council Transportation Committee recommend a change to give City Cab Company a taxi stand on 10th Street. Motion authorizing staff to trade stands with Yellow Cab Company or prepare a shared stand ordinance needed.)

ACTION: By motion (Lang/Whiteside, unan., Sutton absent) approved recommendations of Parking & Traffic Director. (P/T to handle)

9. Consider "Statement of Intent" between Modesto Air Park and the City of Modesto for the development of property at and adjacent to the present airport terminal  
(Memo with agenda. Resolution approving "Statement of Intent" between Modesto Air Park and City of Modesto needed.)

ACTION: A motion was made (Whiteside/Muratore) to approve the "Statement of Intent".  
By motion (McGrath/Patterson, unan., Sutton absent) matter tabled for 1 week.  
(U.S. to handle)

CONSENT

10. Consider progress report from staff on the City-County Waste-To-Energy Facility.  
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, acknowledged receipt of report. (.U.S. to handle)

CONSENT

11. Amend the Position Classification Plan to revise one class - Assistant to the City Manager.  
(Memo with agenda. Resolution amending Position Classification Plan needed.)

ACTION: Res. 86-324 adopted (Lang/Whiteside, majority, McGrath, Patterson-no, Sutton absent) amending Position Classification Plan. (Mgmt. Services to handle)

CONSENT

12. Consider authorizing Modesto Irrigation District to drill three wells in conjunction with an addition to its existing building.  
The wells will be used as an energy efficient method for heating and cooling the building. Memo with agenda. Resolution authorizing M.I.D. to drill three wells needed.)

ACTION: Res. 86-325 adopted authorizing MID to drill three wells. (Eng. to handle)

CONSENT

13. Consider authorizing the City to apply for the Energy Partnership Program through the California Energy Commission.  
(The Energy Commission recently announced a program whereby local governments may apply for assistance in identifying and developing cost effective energy options. Memo with agenda. Resolution authorizing City to apply for the Energy Partnership Program needed.)

ACTION: Res. 86-326 adopted authorizing City to apply for the Energy Partnership Program. (U.S. to handle)

CONSENT

14. Consider approving the draft letter to the Department of Transportation for the Mayor's signature regarding Wings West's intent to suspend service at the Airport on June 1, 1986.  
(Memo with agenda. Motion approving draft letter for Mayor's signature needed.)

ACTION: By motion, draft letter for Mayor's signature approved. (U.S. to handle)

CONSENT

15. Consider approving a \$720 cash contribution to the Senior Awareness Planning Committee for Senior Awareness Day event and authorizing extra Dial-A-Ride service for that day, May 3, 1986, at no cost to the Awareness Committee.  
(Memo with agenda. Special DAR service would open DAR one hour before and one hour after regular 9 a.m. - 5 p.m. Saturday hours to facilitate connections with County bus service to/from the event site in Turlock. Resolution approving payment of \$720 needed, and motion authorizing extra DAR service needed. Funds are budgeted.)

ACTION: Res. 86-327 adopted approving payment. (P/T to handle)  
By motion, extra DAR service authorized.

CONSENT

16. Consider approval of an application by Dennis Perry for an encroachment permit to relocate an existing fence at 231 Elmwood Avenue.  
(Memo with agenda. Resolution authorizing issuance of an encroachment permit needed.)

ACTION: Res. 86-328 adopted authorizing issuance of an encroachment permit.  
(Eng. to handle)

CONSENT

17. Request for refund of \$830.02 for overpayment of Business License Tax - Air Call Communications.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 86-329 adopted approving refund. (Finance to handle)

CONSENT

18. Consider approval of final map of Wesson Place 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: Jack D. Horn Enterprises)  
(The subdivision agreement has been signed and all fees paid. Wesson Place is located west of the Tidewater Southern Railroad right of way, north of Standiford Avenue. It contains 7.257 acres. Resolution approving final map needed.)

ACTION: Res. 86-330 adopted approving final map. (Clerk to handle)

CONSENT

19. Consider revised filing fees for Planning and Zoning applications. (Planning and Zoning fees currently in effect were last comprehensively revised in 1981. This proposal would update fees to reflect current costs. Memo with agenda. Resolution establishing filing fees needed.)

ACTION: Res. 86-331 adopted establishing filing fees for various applications.  
Res. 86-332 adopted revising filing fees for Industrial Revenue Bond applications.  
Res. 86-333 adopted revising filing fees for Health Care Facility Bond applications. (Planning to handle)

20. Consider purchase of professional services for studying target industries. (The Target Industry Study is an analytical study of industries best suited for the Modesto Area. The selection committee has chosen the Fantus Company's proposal. Memo with agenda. Resolution approving selection of Fantus Company to do Target Industry Study and authorizing City Manager to sign agreement needed. Estimated cost: \$17,000; funds are budgeted.)

ACTION: Res. 86-334 adopted (Patterson/Lang, unan., Sutton absent) approving agreement. (Economic Development Director/ Finance to handle)

MISCELLANEOUS

CONSENT

21. Legislation: Staff recommendations:

Support

- a. SB 1694 (Bergeson) - Tort Reform
- b. H.R. 1400 (Weiss) - General Revenue Sharing

Support in Concept, Seek Amendments

- c. AB 2590 (Hauser), SB 2117 (Nielsen), SB 1905 (McCorquodale) - Rural Economic Development

Oppose

- d. AB 2608 (Floyd) - Workers' Compensation
- e. SB 1833 (Seymour) - Inverse Condemnation
- f. SB 1990 (McCorquodale) - Redevelopment: Mandatory Set-Aside for Fire Districts

Strongly Oppose

- g. SB 1965 - (Bergeson) - Public Finance: Property Tax Revenue Allocations

(Memos and attachments with agenda. Motion accepting staff recommendations needed.)

ACTION: By motion, staff recommendations accepted. (Mgmt. Services to handle)

22. Appointments

None

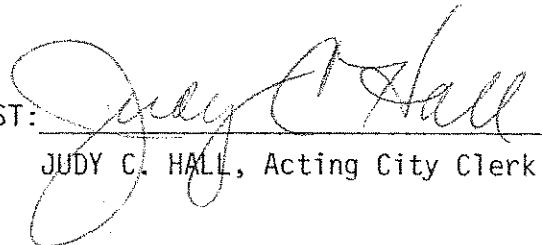
23. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 6:24 p.m.

ATTEST:

  
\_\_\_\_\_  
JUDY C. HALL, Acting City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 8, 1986, AT 7:30 P.M.

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

Absent: Councilmember Sutton

Pledge of Allegiance to the Flag

Invocation: Rev. Father Estathios Mylonas, Greek Orthodox Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 6, ;7, 8, 9, 11, 12,  
16, 18, 19, 20, 21, 22, 23

Removed from Consent: 10, 16

ACTION: (Lang/Whiteside, unan., Sutton absent)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation by the Modesto Melody Makers to commemorate Barbershop Harmony Month.

Mayor Mensinger presented a proclamation to five representatives of the Modesto Melody Makers after which they sang "Bye, Bye Blues."

MINUTES

CONSENT

2. Approval of the minutes of the April 1, 1986, regular City Council meeting.  
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Further consideration of "Statement of Intent" between Modesto Air Park and the City of Modesto for the development of property at and adjacent to the present airport terminal.  
(Continued from the April 1, 1986, meeting.)

ACTION: Res. 86-335 adopted (Whiteside/Muratore, unan., Sutton absent) approving the Statement of Intent with the preference that the City can put the terminal out to bid separately, but that staff can present other alternatives if that is in the best interest of the City. (Utility Services to handle)

CONSENT

4. Final adoption of Ord. No. 2412-C.S. amending Section Map 14-3-9 of the Zoning Map to rezone from R-1 to P-D(397) to allow a residential condominium development at the northeast corner of Oakdale Road and Merle Avenue. (Florsheim Properties)

ACTION: By motion, Ord. No. 2412-C.S. adopted.

HEARINGS

5. Hearing to consider report of Superintendent of Streets on the cost of construction of curb and/or sidewalk at the following locations:
  1. Curb and sidewalk along Conejo Avenue at 234 Conejo Avenue, a portion of Block 2184-A (Anthony H. Delfin - \$1,997.)

ACTION: Res. 86-336 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)

2. Sidewalk at 213 Conejo Avenue, Lot 3 of Block 2157 (William H. Padgett - \$369)

ACTION: Res. 86-337 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)

3. Sidewalk along Conejo Avenue at 201 Conejo Avenue, Lot 6 of Block 2157 (Carolyn D. Pester - \$393)

ACTION: Res. 86-338 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)

4. Sidewalk along Haddon Avenue and Conejo Avenue at 301 Conejo, Lot 13 of Block 2159 (Perry L. Sanders - \$1,075)

ACTION: Res. 86-339 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)

5. Sidewalk along Conejo Avenue at 225 Conejo Avenue, Lot 1 of Block 2157 (Margaret G. Wong - \$501)

ACTION: Res. 86-340 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)

6. Curb along Dawn Drive at 1244 Melrose Avenue, Lot 21 of Block 1125 (James R. Dejong - \$1,864)

ACTION: Res. 86-341 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)

7. Curb at 1217 Fiori Avenue, Lot 8 of Block 1125 (Geoff D. Lish - \$976)

ACTION: Res. 86-342 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)

8. Curb along Fiori Avenue, at 521 E. Roseburg Avenue, Lot 9 of Block 1125 (Bob G. Edwards - \$1,924)

ACTION: Res. 86-343 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)

9. Curb along Melrose Avenue at 1405 Melrose Avenue, a portion of Block 1190 (Peter P. Rojo - \$1,324)

ACTION: Res. 86-344 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)

10. Curb along Melrose Avenue and Dawn Drive at 1312 Melrose Avenue, a portion of Block 1138 (Robert S. Montgomery - \$2,914)

ACTION: Res. 86-345 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)

11. Sidewalk along Paradise Road at 1000 Beverly Drive and 1027 Paradise Road, a portion of Block 4014 (Eugene R. Abel - \$2,123)
- ACTION: Res. 86-346 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)
12. Sidewalk at 1516 Pearl Street, Lot 19 of Block 6080 (Charlie L. Bingle - \$372)
- ACTION: Res. 86-347 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)
13. Sidewalk at 1520 Pearl Street, Lot 20 of Block 6080 (Mary Byington - \$392)
- ACTION: Res. 86-348 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)
14. Sidewalk at 1532 Pearl Street, Lot 23 of Block 6080 (Kim R. Montgomery and James Rocco Holloway - \$452)
- ACTION: Res. 86-349 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)
15. Sidewalk repair at 1130 Coffee Road, Lot A of Block 1099 (Richards, Tallent, Durosette - \$231)
- ACTION: Res. 86-350 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)
16. Sidewalk at 421 Rosina Avenue, a portion of Block 2130 (Edward M. Sanchez - \$351)
- ACTION: Res. 86-351 adopted (Lang/Muratore, unan., Sutton absent) assessing cost and directing method of payment. (Finance to handle)

BIDS

CONSENT

6. Consider approval of plans and specifications and call for bids for the repair of the outfall trunk sewer.  
(Memo and location map with agenda. Suggested bid opening: April 29, 1986, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$499,955. (contract \$489,955; engineering and cont. \$10,000.) Funds are budgeted.)
- ACTION: Res. 86-352 adopted calling for bids. (Eng to handle)

CONSENT

7. Consider approving specifications and authorizing the call for bids to be opened on May 6, 1986, at 3:00 p.m. for furnishing fire hose. (Requested by the Fire Department, the fire hose will replace damaged, worn, or obsolete fire hose presently on hand. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$12,315. Funds are budgeted.)

ACTION: Res. 86-353 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider awarding contract to George Reed, Inc., for overlay of Lot 3 at 12th and I Streets. (Memo with agenda. Bids were opened on Tuesday, April 1, 1986. Three bids were received. George Reed, Inc., was the low bidder at \$9,666. This is almost 20% below the estimate and is considered acceptable. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 86-354 adopted awarding contract. (Eng to handle)

CONSENT

9. Consider authorizing the purchase of one crane truck and one electrical van from Heritage Ford for the total price of \$35,735; and consider authorizing the purchase of two parks maintenance vans from Dow Hammond for the total price of \$29,493. (Memo with agenda. Resolution authorizing purchase of crane truck and van from Heritage Ford, and resolution authorizing purchase of two vans from Dow Hammond needed. Funds are budgeted.)

ACTION: Res. 86-355 adopted authorizing purchase from Heritage Ford.  
Res. 86-356 adopted authorizing purchase from Dow Hammond.  
(Finance to handle)

- 10 Consider waiving formal bid requirements and authorize the purchase of one emergency standby generator from Williams and Lane for the total price of \$12,970. (Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 86-357 adopted (Whiteside/Lang, unan., Sutton absent) waiving formal bid requirements. (Finance to handle)

CONSENT

11. Consider acceptance of B & L Builders, Inc., contract for the remodeling of the City Clerk's Office. (Original contract: \$7,650) (All work on this project has been completed to the satisfaction of the City Clerk, Engineering Department and the Building Maintenance Division of Utility Services. 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: \$8,125. Funds are budgeted.)

ACTION: Res. 86-358 adopted accepting as complete. (Clerk to handle)

CONSENT

12. Consider award of contract for the construction of Pump Station No. 46. (Bids were opened on March 25, 1986. The low bid of \$74,889, submitted by Hawk Well & Equipment is 2.62% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Hawk Well & Equipment. Memo and bid tabulation with agenda. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 86-359 adopted awarding contract. (Eng to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for the strengthening of the water system on 13th Street. (Memo with agenda. Suggested bid opening: April 22, 1986, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$28,548. (contract, \$23,225; engineering & cont., \$5,323) Funds are budgeted.)

ACTION: Res. 86-360 adopted calling for bids. (Eng to handle)

WRITTEN COMMUNICATIONS

- 14a. Letter from Gary Gliddon, President of Friends of the Library Action Committee, concerning the library.

ACTION: By motion (Patterson/Whiteside, unan., Sutton absent) staff directed to determine ways of funding, including motor vehicle tax, and in conjunction with other cities in the County, interim Library staff funding pending a tax election; and approving the proposed letter to the Board of Supervisors, providing the recommended parcel tax include some provision for increasing with inflation. (Manager to handle)

- 14b. Request of Maria Teixeira for the Multi-Cultural Coalition for a proclamation regarding Unity Day on April 26, 1986.

ACTION: By motion (Whiteside/Lang, unan., Sutton absent) the Mayor was given approval to issue the requested proclamation. (Manager to handle)

15.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

ACTION: Monroe Taylor requested the Council to declare Martin Luther King's Birthday a City holiday.

NEW BUSINESS

16. Report on Union Pacific franchise to operate on street in Modesto. (Memo with agenda. The 20-year franchise has expired. It is recommended that we proceed without a franchise until the prospects of relocating the tracks from 9th Street are clearer. Motion acknowledging receipt of report needed.)

Mayor Mensinger excused due to a conflict of interest.

ACTION: By motion (Patterson/Lang, unan., Sutton and Mayor Mensinger absent) receipt of report acknowledged. (P/T to handle)

17. Consider issuing a purchase order to Failure Analysis Associates to investigate deficiencies in the refueling piping in the methane system. (Memo with agenda. The cause of deficiencies in the refueling piping needs to be determined so that repairs can be made through the responsible party. Resolution authorizing issuing a purchase order to Failure Analysis Associated needed. Estimated cost: \$5,000. Funds are budgeted.) (Councilmember McGrath will be excused due to a conflict of interest.)

ACTION: Res. 86-361 adopted (Lang/Whiteside, unan., McGrath and Sutton absent) issuing a purchase order. (Utility Serv to handle)

CONSENT

18. Consider amending Section 7-3.411 of the Municipal Code relating to oil company leases at the airport. (Memo with agenda. The present code is in conflict with the City's Fees and Charges resolution for the airport and our lease agreements with the fuel concessionaires. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2413-C.S. introduced. (Clerk to handle)

CONSENT

19. Consider approval of the final map of Sash Court 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. Subdivider: Central State Financial Corp.) (The subdivision agreement has been signed and all fees paid. Sash Court Subdivision is located south of Veneman Avenue and east of Bridle Path Lane. It contains 2.687 acres. Resolution approving final map needed.)

ACTION: Res. 86-362 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider an amendment to the contract to authorize partial payment for two buses. (Memo with agenda. Gillig Corporation has delivered the two buses with the exception of the radios. We requested General Electric radios which will not be delivered until July 1, 1986. It is appropriate to pay Gillig the original \$270,910 contract price less \$6,000 for the radios. Resolution authorizing the contract amendment. Funds are budgeted.)

ACTION: Res. 86-363 adopted authorizing contract amendment. (P/T to handle)

CONSENT

21. Consider renewal of lease agreement with the Central California Art League, Inc.  
(This is a renewal of the agreement with the Central California Art League to lease rooms AL1, AL2, AL3, and AL4 at the McHenry Museum, beginning April 14, 1986. The rent will be increased from \$220 per month to \$257 per month. All other conditions will remain the same. Resolution approving lease agreement needed.)

ACTION: Res. 86-364 adopted approving lease agreement. (P/R to handle)

CONSENT

22. Consider request for water service to property outside City limits at 1457 Mable Avenue, located on the north side of Mable Avenue between Atwood Drive and Beyer Park Drive. Owner: Mar Addai Parish, Apostolic Catholic Assyrian Church of the East, Turlock.  
(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. 86-365 adopted approving agreement. (Eng to handle)

MISCELLANEOUS

CONSENT

23. Legislation: Staff recommendations:

Oppose

a. AB 4181 (Bader), Planning and Zoning

Support

- b. ACA 36 / AB 2866 (Herger), State Mandated Local Costs
- c. AB 4043 (Cortese), Allocation to Counties from Sales and Use Taxes
- d. SCA 9 (Boatwright), Parole Authority
- e. SB 1930 (Presley), Liability for Failure to Follow Policy Manuals
- f. SB 2341 (Lockyer), Inverse Condemnation Liability

Support in Concept; Seek Ammendments

SB 3627 (Bradley), Railroad Crossing

(Memos and attachments with agenda. Motion approving staff recommendations needed.)

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

24. **Appointments**

None

25.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

None

26.

CLOSED SESSION

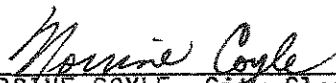
Closed session to consider an employee relations matter.

ADJOURNMENT

The meeting adjourned to closed session at 11:00 p.m. and then to Thursday, April 10, 1986, at 7:30 a.m. on the H Street side of City Hall for a bus trip to see the Embassy Suite Hotel in Napa, California.

At the conclusion of that trip, the meeting will be further adjourned to Tuesday, April 15, 1986, at 2:00 p.m. at the Community Center site, 10th and L Streets, for the purpose of viewing the Stoddard solvent clean-up project.

ATTEST:

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

April 10, 1986

The meeting of the City Council was called to order at 7:30 a.m. on the H Street side of City Hall for a bus trip to see the Embassy Suite Hotel in Napa, California.

Present: Councilmember Whiteside

Absent: Councilmember Lang, McGrath, Muratore, Patterson,  
Sutton, Mayor Mensinger

There being a lack of a quorum, the meeting was adjourned to Tuesday, April 15, 1986, at 2:00 p.m. at the Community Center site, 10th and L Streets, for the purpose of viewing the Stoddard solvent clean-up project.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
April 15, 1986

The Council of the City of Modesto met pursuant to adjournment at 2:00 p.m. at the Community Center site, 10th and L Streets, Modesto, California for the purpose of viewing the Stoddard solvent clean-up project.

Present: Councilmembers Sutton and Whiteside

Absent: Councilmembers Lang, McGrath, Muratore, Patterson,  
and Mayor Mensinger

There being a lack of a quorum, the meeting was adjourned.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

4/15/86



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 15, 1986, AT 4:00 P.M.

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

Absent: None

Pledge of Allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 8, 9, 10, 11, 13, 15,  
16, 17, 18, 19, 21, 21a, 22

ACTION: (Muratore/Sutton, unan.)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of the Recreation Program Award for development of a program for the developmentally handicapped.

Mayor Mensinger presented the award to Parks and Recreation Director Mary Grogan.

## MINUTES

### CONSENT

2. Approval of the minutes of the April 8, 1986, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Consider a report by the Director of Engineering Services on the status of negotiations with M.I.D. for the construction of a surface water treatment plant.  
(Memo with agenda. Motion approving report and directing staff to communicate with M.I.D. that City supports M.I.D. construction and ownership of the plant needed.)

ACTION: By motion (Sutton/Lang, unan.) the report was approved and staff directed to pursue negotiations with M.I.D. (Eng to handle)

CONSENT

4. Consider report regarding request from Fourth of July Committee.  
(Report responding to request from the Fourth of July Committee regarding 1986 Fourth of July Celebration with agenda. Resolution approving request for assistance needed.)

ACTION: Res. 86-366 adopted approving request for assistance. (P/R to handle)

CONSENT

5. Final adoption of Ord. No. 2413-C.S. regarding oil company leases at the airport.  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2413-C.S. adopted. (Clerk to handle)

HEARINGS

6. Hearing concerning amendment to Subdivision Regulations relating to lot line adjustments.

ACTION: By motion (Whiteside/Lang, unan.) Ord. No. 2414-C.S. introduced.  
(Clerk to handle)

7. Hearing to consider the appeal of Allan and Susan Burt to a Planning Commission decision regarding a subdivision map for Yellowstone Estates, located on the southwest corner of Yellowstone Avenue and Temperate Avenue.

ACTION: The appeal was withdrawn by the appellants.  
By motion (Muratore/Whiteside, unan.) receipt of the letter withdrawing appeal acknowledged.

BIDS

CONSENT

8. Consider declaring low bidders on chairs and tables for Tuolumne River Regional Park facility and authorizing the purchase.  
(Memorandum with agenda. Resolution declaring JHL Office Interiors low bidder on chairs, chair truck, and table truck needed, and resolution declaring Office Industrial Furnishers low bidder on tables needed. Estimated total cost: \$6,563. Funds are budgeted.)

ACTION: Res. 86-367 adopted awarding bid to JHL Office Interiors.  
Res. 86-368 adopted awarding bid to Office Industrial Furnishers.  
(Finance to handle)

CONSENT

9. Consider award of contract for the replacement of the desander unit at Pump Station No. 27.  
(Bids were opened on April 8, 1986. The low bid of \$24,540, submitted by Howk Well & Equipment Co., Inc., is 14% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Howk Well & Equipment Co., Inc. Resolution awarding contract to Howk Well & Equipment Co., Inc. needed. Funds are budgeted.)

ACTION: Res. 86-369 adopted awarding contract. (Eng to handle)

CONSENT

10. Consider award of contract for the water system strengthening on Sycamore Avenue from Roseburg to Orangeburg.  
(Bids were opened on April 8, 1986. The low bid of \$47,000, submitted by Joe Martin Pipeline, Inc., is 4.78% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Funds are budgeted.)

ACTION: Res. 86-370 adopted awarding contract. (Eng to handle)

CONSENT

11. Consider declaring 8.74 acres of walnut trees, located on the Woodland Neighborhood Park site, surplus property and authorize Purchasing Officer to sell the wood by sealed bid.  
(A report of the sale will be made to the City Manager. Woodland Neighborhood Park site is to be developed shortly, requiring the removal of these trees. One resolution needed.)

ACTION: Res. 86-371 adopted declaring surplus property. (Finance to handle)

12.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Peter Rocha requested information on criteria for types of fences required to be built between subdivisions and other types of properties, especially agricultural properties.

Larry Colby thanked the City Council for allowing people in the Lakewood Park area to help develop the park.

NEW BUSINESS

CONSENT

13. Consider adoption of a resolution commending the Modesto Police Reserves for their contributions to the City of Modesto's community welfare and safety.

(This is an annual commendation to the Reserve Officers who volunteer their services without pay for the supplementary crime protection of the citizens of Modesto. Memo with agenda. Adoption of a resolution needed.)

ACTION: Res. 86-372 adopted commending the Modesto Police Reserves.  
(Police to handle)

14. Consider approval of Wesson Ranch Neighborhood Park Master Plan.  
(Presentation of the Master Plan for the above-mentioned park will be made by Steve Lang of Recreation Systems, Inc. A copy of the Master Plan report is included with the agenda. Motion approving Wesson Ranch Neighborhood Park Master Plan needed, and resolution approving Negative Declaration needed.)

ACTION: By motion (Lang/Patterson, unan.) Wesson Ranch Neighborhood Park Master Plan approved.  
  
Res. 86-373 adopted (Lang/Patterson, unan.) approving Negative Declaration.  
(P/R to handle)

CONSENT

15. Status report and proposed adjustments to FY 1985-86 Annual Budget.  
(Report with agenda. Resolution amending the 1985-86 Annual Budget needed.)

ACTION: Res. 86-374 adopted amending annual budget. (Finance to handle)

CONSENT

16. Request for refund of \$795.08 for overpayment of Business Improvement Area Tax by Orangeburg Medical Group.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 86-375 adopted approving refund. (Finance to handle)

CONSENT

17. Clarification of Mandatory Status of the Housing Maintenance Program. (Memo with agenda. Recommendation from Citizens Housing and Community Development Committee to adopt a resolution on the mandatory status of the Housing Maintenance Program. Resolution adopting mandatory requirement in Housing Maintenance Program's designated target areas needed.)

ACTION: Res. 86-376 adopted adopting mandatory requirement in Housing Maintenance Program's designated target areas. (Planning to handle)

CONSENT

18. Recommended policy changes in the Housing Program. (Memo with agenda. Recommendations of policy changes were approved by Citizens Housing and Community Development Committee and Rehabilitation Loan Pool Subcommittee. Resolution amending the loan guidelines for Housing Program needed.)

ACTION: Res. 86-377 adopted amending the loan guidelines for Housing Program. (Planning to handle)

CONSENT

19. Annexation of territory in the Mono-Kerr Reorganization to the City of Modesto. (At its March 27, 1986, meeting, LAFCO approved the Mono-Kerr Reorganization. The area consists of 3.17 acres at the northeast corner of Mono Drive and Kerr Avenue. The vacant property would be zoned M-2 upon annexation. LAFCO has authorized the City Council to proceed without notice, hearing, or election. Resolution ordering the Mono-Kerr Reorganization to the City of Modesto, detaching the area from the Empire Fire Protection District, and annexing to the Modesto Municipal Sewer District No. 1, and certifying review of Environmental Impact needed.)

ACTION: Res. 86-378 adopted ordering the Mono-Kerr Reorganization. (Clerk to handle)

20. Consider amendment to agreement with J. H. Kleinfelder and Associates to remove stoddard solvent from soil and water at 9th & L Streets. (Memo with agenda. Resolution authorizing City Manager to sign amendment needed, and resolution amending FY 1985-86 budget to transfer funds needed. Estimated cost: \$250,000.)

ACTION: Res. 86-379 adopted (Lang/Sutton, majority, McGrath and Patterson-no) amending agreement.

Res. 86-380 adopted (same vote) approving appropriation transfer. (Manager to handle)

CONSENT

21. Consider joining in an amicus curiae brief in the case of Palmer v. City of Ojai relating to land use approvals.

(Memorandum with agenda. Motion authorizing joining in an amicus curiae brief needed.)

ACTION: By motion, approval given to join in an amicus curiae.  
(Attorney to handle)

CONSENT

21a. Consider approval of additional transit liability insurance.  
(Memo with agenda. Resolution authorizing the City Manager to sign contracts for an additional \$5 million above excess the current \$5 million for transit liability insurance needed. Estimated cost: \$42,000; funds are budgeted.)

ACTION: Res. 86-381 adopted approving transit liability insurance.  
(Attorney to handle)

MISCELLANEOUS

CONSENT

22. Legislation - Staff recommends:

Support

- a. AB 4041/4042 (Cortese) - County Welfare Costs Reimbursement
- b. AB 4140 (Condit) - Sex Offenses - Child Exploitation
- c. SB 1555 (Maddy, Vuich and McCorquodale) - Counties: State Assistance
- d. SB 2165 (Mello) - Superior Court Transcript Costs Reimbursed

Oppose

- e. AB 3747 (Wright) - Limitation on Utility User Taxes
- f. AB 4303 (Molina) - Mandated District Elections
- g. AB 4335 (Leonard) - Limitations on Monetary Exactions

\*(Memos and attachments with agenda. Motion accepting staff recommendations needed.)

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

23. Appointments

None

24.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

Vice Mayor Whiteside mentioned she had lost her briefcase and calendar and asked anyone who has seen them to let her know.

ADJOURNMENT

The meeting adjourned at 6:07 p.m.

ATTEST:

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



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, APRIL 22, 1986, AT 7:30 P.M.

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

Absent: None

Pledge of Allegiance to the Flag

Invocation: Rev. Charlie Crane, Greater True Light Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9, 10, 11, 12, 13, 16, 17, 19, 20, 21, 22

Removed from consent: 18

ACTION: (Whiteside/Sutton, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

## MINUTES

### CONSENT

2. Approval of the minutes of the April 10, 1986 adjourned regular City Council meeting and the April 15, 1986, regular City Council meeting. (Motion approving needed.)

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

## UNFINISHED BUSINESS

### CONSENT

3. Final adoption of Ord. No. 2414-C.S. amending the Municipal Code relating to lot line adjustments.  
(Motion adopting needed.)

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

## HEARINGS

4. Hearing to consider an amendment to Section 21-3-9 of the Zoning Map to rezone from C-1 and R-2 to P-D(398) to allow an office building, property located on the west side of Coffee between Chadwick Court and E. Fairmont Avenue. (Don Payne)

ACTION: By motion (Muratore/Lang, unan.) this matter was carried over to May 6, 1986, so that the cost of the street light can be determined.  
(Planning to handle)

5. Hearing to consider an amendment to Section 17-3-9 of the Zoning Map to rezone from R-1 to R-2, property located on the east side of Tully Road north of Mount Vernon Drive. (Robert Iacopi)

ACTION: By motion (Lang/McGrath, unan.) Ord. No. 2415-C.S. introduced.  
Res. 86-382 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

6. Hearing to consider an amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 to R-2, property located on the east side of Water Street, south of E. Coolidge Avenue. (Royce and Alberta Wright)

ACTION: By motion (Muratore/Whiteside, unan.) Ord. No. 2416-C.S. introduced.  
Res. 86-383 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

## BIDS

### CONSENT

7. Consider approval of plans and specifications and call for bids for the resurfacing of the Graceada Park Tennis Courts.  
(Suggested bid opening: May 13, 1986, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$110,000 (contract \$100,000; eng. & cont. \$10,000). Funds are budgeted.)

ACTION: Res. 86-384 adopted calling for bids. (Eng to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the "K" Street water line strengthening.  
(Suggested bid opening: May 13, 1986, at 11:05 a.m. Memo with agenda. Resolution approving plans and specifications approving plans and specifications and call for bids needed. Estimated cost: \$64,303 (contract \$47,266; eng. & cont. \$17,037). Funds are budgeted.)

ACTION: Res. 86-385 adopted calling for bids. (Eng to handle)

CONSENT

9. Consider approving specifications and authorize call for bids to be opened June 3, 1986, at 3:15 p.m. for furnishing annual large lamp requirements.  
(An annual event, the lamp bid is a cooperative purchasing venture with Stanislaus County, City of Oakdale, Yosemite Community College District and Modesto City Schools. The lamps are purchased intermittently throughout the year by Central Stores and issued to using departments. Resolution approving specifications and authorizing call for bids needed. Estimated cost for City portion: \$23,000; funds are budgeted.)

ACTION: Res. 86-386 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider approving specifications and authorize call for bids to be opened May 20, 1986, at 3:00 p.m. to furnish 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 1986-87 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$12,500; funds are budgeted.)

ACTION: Res. 86-387 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider award of contract for the 1986 street overlays.  
Bids were opened on April 15, 1986. The low bid of \$350,827.45, submitted by Genstar Western Stone Products, Inc., is 28.96% 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 Genstar needed. Funds are budgeted.)

ACTION: Res. 86-388 adopted awarding contract. (Eng to handle)

CONSENT

12. Consider declaring Bell & Howell Company low bidder meeting City specifications and authorize the purchase of one rotary camera for the total amount of \$17,646.94.  
(Memorandum with agenda. Resolution authorizing purchase from Bell and Howell needed. Estimated cost: \$17,646.94; funds are budgeted.)

ACTION: Res. 86-389 adopted awarding bid. (Finance to handle)

CONSENT

13. Consider acceptance of a portion of Homer J. Olsen, Inc.'s contract for the construction of the Wastewater Treatment and Disposal Facilities, Unit No. 2/3, and commence 1-year mechanical warranty period. (The construction of the North and South Recirculation Channel Aerator Systems has been completed, as required by contract specifications. Therefore, it is in order to accept this portion of the work as complete, file a Notice of Completion, and commence the mechanical warranty period. Memo with agenda. Resolution accepting the work as complete and establishing March 14, 1986 as the date of the commencement of the 1-year mechanical warranty period needed. Final cost of this portion of the contract: \$1,622,916.21. Funds are budgeted.)

ACTION: Res. 86-390 adopted accepting portion of contract as complete.  
(Clerk to handle)

WRITTEN COMMUNICATIONS

14. Letter from Gary Runsten, Modesto High School Marching Band & Color Guard, requesting financial assistance for an exchange program visit to Modesto's Sister City, Vernon, British Columbia while participating in an All American Music Festival in Vancouver, British Columbia. (Councilmember Lang will be excused due to a conflict of interest.)

ACTION: Res. 86-391 adopted (McGrath/Patterson, unan., Lang absent) approving an appropriation transfer from Contingency Reserve to Miscellaneous Promotion account. (Finance to handle)

15. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

ACTION: By motion (Whiteside/Muratore, unan.) AB 3126 was supported at the request of Manual Gonzalves, with the hope that an independent living center would be located in Modesto. (Manager to handle)

Dave Dolan asked questions concerning item 25 on this agenda and some items on the Redevelopment Agency agenda.

NEW BUSINESS

CONSENT

16. Consider adopting a "Resolution of Intent to expend up to \$45,000 in November, 1986, to permit the Police Department to participate in CAL-ID System, a new computerized fingerprint service located in the California Department of Justice. (Memo with agenda. Resolution of Intent needed.)

ACTION: Res. 86-393 adopted approving "Resolution of Intent".  
(Police to handle)

CONSENT

17. Consider approving agreement with Claudia Hagen, dba Balloons Over the Valley, to permit a hot air balloon event at the Modesto Airport on September 20 and 21, 1986.

(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-394 adopted approving agreement. (Utility Serv to handle)

18. Consider amending Section 5-6.12 and Section 5-6.13.1 of the Modesto Municipal Code, Chapter 6, "Sewage Collection and Disposal."

(Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion (Lang/McGrath, unan.) Ord. No. 2417-C.S. introduced.  
(Clerk to handle)

CONSENT

19. Consider approval of the preapplication for federal grant for Modesto City-County Airport/Harry Sham Field for three projects involving construction of taxiways C and E, terminal aircraft parking apron and runway 10L blast pad.

(Memo with agenda. Resolution approving preapplication needed.)

Estimated cost: \$396,000 (Federal \$356,400; City \$39,600). Funds are budgeted.)

ACTION: Res. 86-395 adopted approving preapplication.  
(Utility Services to handle)

CONSENT

20. Consider request for sewer service to property outside City limits located at 435 Briggs Avenue on the north side of Briggs west of Franklin and east of Wheatley Avenue. (Owners: Rafael O. and Consuela M. Ortiz) (The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 86-396 adopted approving agreement. (Eng to handle)

CONSENT

21. Monthly Treasurer's Report for the month ending March 31, 1986.

(Report with agenda. Motion acknowledging report needed.)

ACTION: By motion, receipt of report acknowledged.

MISCELLANEOUS

CONSENT

22. Legislation: Staff recommends:

Support

AB 2938 (Kelley) - Search Warrants

SB 2358 (McCorquodale) - Small Business Development

(Memos with agenda. Motion accepting staff recommendations needed.)

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

23. Appointments

None

24. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

The Council agreed that the hearing concerning the traffic signal policy should be held on May 27, 1986. (Planning to handle)

CLOSED SESSION

25. Closed session to consider purchase of the former Strand Theater property from Elmo Wilson.

26. Closed session to consider an employee relations matter.

ADJOURNMENT

Meeting adjourned at 8:50 p.m. to closed session, and then to Thursday, April 24, 1986, at 1:00 p.m. in the the City Hall lobby for a tour of the Wastewater Treatment Facility, at the conclusion of which will be further adjourned to Tuesday, April 29, 1986, at 4:00 p.m. in the City Hall third floor conference room for a study session concerning economic development.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
April 29, 1986


The Council of the City of Modesto met pursuant to adjournment at 4:00 p.m. in the City Hall third floor conference room, 801 11th Street, Modesto, California.

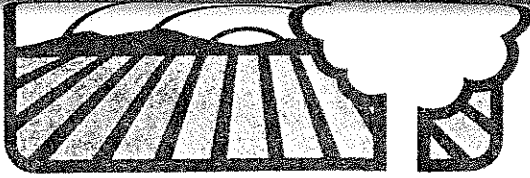
Present: Councilmembers Lang, McGrath, Muratore, Patterson,  
Sutton, Whiteside, Mayor Mensinger

Absent: None

The Councilmembers met for a study session concerning economic development in Modesto.

The meeting adjourned at 7:00 p.m.

ATTEST:   
GARTH LIPSKY, Acting City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 6, 1986, AT 4:00 P.M.

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

Absent: Councilmember Lang

Pledge of Allegiance to the Flag

Invocation: Rev. Ross Briles, Sherwood Bible Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 33, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51

Removed from consent: 14, 29

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

MINUTES

CONSENT

2. Approval of the minutes of the April 22, 1986 regular City Council meeting and the April 24, 1986, and April 29, 1986, adjourned regular City Council meetings.  
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Consider motion accepting final report on the development of plans and specifications for the design of the intermediate plan including interior design for the airport passenger terminal.  
(Memo with agenda. Motion accepting final report and directing staff needed.)

ACTION: By motion (Sutton/Patterson, unan., Lang absent) the final report was accepted and the staff was directed to proceed with Option #1.  
(Utility Services to handle)

4. Request of representatives of the Modesto Board of Realtors and the League of Women Voters for a resolution in support of Proposition 46 - Restoration of General Obligation Bond Authority to Local Voters.  
(Memo with agenda. Resolution supporting Proposition 46 needed.)

ACTION: Res. 86-397 adopted (Sutton/Whiteside, unan., Lang absent) supporting Proposition 46. (City Manager to handle)

CONSENT

5. Final adoption of:

- a. Ord. No. 2415-C.S. rezoning from R-1 to R-2, property located on the east side of Tully road north of Mount Vernon Drive. (Robert Iacopi)
- b. Ord. No. 2416-C.S. rezoning from R-1 to R-2, property located on the east side of Water Street, south of E. Coolidge Avenue. (Royce and Alberta Wright)
- c. Ord. No. 2417-C.S. amending the Municipal Code relating to sewage collection and disposal.

(Motion adopting needed.)

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

6. Further consideration of an amendment to Section 21-3-9 of the Zoning Map to rezone from C-1 and R-2 to P-D(398) to allow an office building, property located on the west side of Coffee between Chadwick Court and E. Fairmont Avenue. ((Don Payne)  
(Continued from April 22, 1986, City Council meeting.)

ACTION: By motion (Whiteside/Patterson, unan., Lang absent), Ord. No. 2418-C.S. introduced.  
Res. 86-398 adopted (Whiteside/Patterson, unan., Lang absent) certifying review of the environmental assessment.  
Res. 86-399 adopted (Whiteside/Patterson, unan., Lang absent) approving development plan.  
By motion (Whiteside/Patterson, unan., Lang absent) staff directed to allow the light required in Condition 5 to be placed on the M.I.D. pole.  
(City Clerk/Planning & Community Development to handle)

#### HEARINGS

7. Hearing to consider an amendment to Section 28-3-9 of the Zoning Map to repeal P-D(344) and rezone to R-3, property located at the west corner of 16th and G Streets. (Planning Commission initiated)

ACTION: By motion (Patterson/Sutton, unan., Lang absent) Ord. No. 2419-C.S. introduced.  
Res. 86-400 adopted (Patterson/Sutton, unan., Lang absent) certifying review of the environmental assessment.  
(City Clerk/Planning & Community Development to handle)

8. Hearing to consider an amendment to Section 10-3-9 of the Zoning Map to repeal P-D(284) and rezone to R-2, property located on the south side of Sylvan Avenue east of Keller Street. (Planning Commission initiated)

ACTION: By motion (Muratore/McGrath, unan., Lang absent) Ord. No. 2420-C.S. introduced.  
Res. 86-401 adopted (Muratore/McGrath, unan., Lang absent) certifying review of environmental assessment.  
(City Clerk/Planning & Community Development to handle)

9. Hearing to consider an amendment to Section 10-3-9 of the Zoning Map to repeal P-D(305) and rezone to R-2, property located on the east side of Coffee Road north and south of Grand Prix Drive. (Planning Commission initiated)

ACTION: By motion (McGrath/Muratore, unan., Lang absent), Ord. No. 2421-C.S. introduced.  
Res. 86-402 adopted (McGrath/Muratore, unan., Lang absent) certifying review of environmental assessment.  
(City Clerk/Planning & Community Development to handle)

BIDS

10. Consider approval of plans and specifications and call for bids for the slurry seal of various City streets - 1986.  
(Councilmembers Patterson and Sutton to be excused due to conflicts of interest)  
(Suggested bid opening: May 20, 1986, at 11:05 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$236,280 (contract \$214,800; engineering & cont. \$21,480). Funds are budgeted.)

ACTION: Res. 86-403 adopted (Whiteside/McGrath, unan., Lang, Patterson and Sutton absent) approving plans and specifications and calling for bids.  
(Engineering Services to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for the Conant Avenue water line extension.  
(Suggested bid opening: May 20, 1986, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$26,900 (contract \$22,450; engineering & cont. \$4,450). Funds are budgeted.)

ACTION: Res. 86-404 adopted approving plans and specifications and calling for bids.  
(Engineering Services to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for the Imperial Avenue water line strengthening.  
(Suggested bid opening: May 20, 1986, at 11:10 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$71,100 (contract \$62,820; engineering & cont. \$8,280). Funds are budgeted.)

ACTION: Res. 86-405 adopted approving plans and specifications and calling for bids.  
(Engineering Services to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for the East La Loma Park tennis court lighting.  
(Suggested bid opening: May 27, 1986, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$38,280 (contract \$34,800; engineering & cont. \$3,480). Funds are partially budgeted. Appropriation transfer to be requested after bid opening when final amount is known.)

ACTION: Res. 86-406 adopted approving plans and specifications and calling for bids.  
(Engineering Services to handle)

14. Consider approval of plans and specifications and call for bids for the Fairway Neighborhood Park soccer field lighting.  
(Suggested bid opening: May 27, 1986, at 11:05 a.m. This project will provide lighting for the soccer field under construction at this time at Rouse Avenue and Sunset Drive. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$153,750 (contract \$133,696; engineering & cont. \$20,054). Funds are budgeted.)

ACTION: Res. 86-407 adopted (Patterson/Whiteside, unan., Lang absent) approving plans and specifications and calling for bids.  
(Engineering Services to handle)

CONSENT

15. Consider approval of plans and specifications and call for bids for water line extension on Fara Biundo Drive.  
(Suggested bid opening: May 27, 1986, at 11:10 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$15,525 (contract \$12,750; engineering & cont. \$2,775). Funds are budgeted.)

ACTION: Res. 86-408 adopted approving plans and specifications and calling for bids.  
(Engineering Services to handle)

CONSENT

16. Consider approving specifications and authorizing the call for bids for furnishing annual requirements of rock, sand and gravel products to be opened on May 27, 1986, at 3:00 p.m.  
(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: \$26,000. Funds in proposed 1986-87 budget.)

ACTION: Res. 86-409 adopted approving specifications and calling for bids.  
(Finance to handle)

CONSENT

17. Consider approving specifications and authorizing the call for bids for furnishing annual requirements of liquid chlorine to be opened May 27, 1986 at 3:05 p.m.  
(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 1986-87 fiscal year. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$248,902. Funds in proposed 1986-87 budget.)

ACTION: Res. 86-410 adopted approving specifications and calling for bids.  
(Finance to handle)

CONSENT

18. Consider approving specifications and authorizing the call for bids for furnishing annual requirements of ready-mixed concrete to be opened May 27, 1986 at 3:10 p.m.  
(The ready-mixed concrete will be used by various City departments for new construction or repair projects. The concrete will be purchased intermittently throughout the 1986-87 fiscal year. Resolution approving specification and authorizing call for bids needed. Estimated cost: \$15,000. Funds in proposed 1986-87 budget.)

ACTION: Res. 86-411 adopted approving specifications and calling for bids.  
(Finance to handle)

CONSENT

19. Consider approving specifications and authorizing call for bids for furnishing janitorial service at American Legion Hall to be opened May 27, 1986, at 3:15 p.m.  
(Requested by the Tuolumne River Regional Parks Division of Parks and Recreation Department, the janitorial services will be performed at the American Legion Hall that the City rents out for public/private functions each week. Services will be contracted for the fiscal year beginning July 1, 1986, and ending June 30, 1987. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$20,000. Funds in proposed 1986-87 budget.)

ACTION: Res. 86-412 adopted approving specifications and calling for bids.  
(Finance to handle)

CONSENT

20. Consider approving bid/contract documents and authorizing a call for bids for Dial-A-Ride service to be opened June 24, 1986, at 11:00 a.m.  
(Memo with agenda. The current DAR contract expires December 31, 1986. The new contract will be for five years. Suggested bid opening: June 24, 1986, at 11:00 a.m. Resolution approving bid/contract documents and authorizing call for bids needed. Estimated cost per year: \$545,000. Funds are budgeted.)

ACTION: Res. 86-413 adopted approving documents and calling for bids.  
(Parking & Traffic to handle)

CONSENT

21. Consider award of contract for the repair of the outfall trunk sewer to Sancon Engineering, Inc.  
(Bids were opened on April 29, 1986. The low bid of \$414,875, submitted by Sancon Engineering, Inc., is 14% below the engineer's estimate and considered acceptable. It is recommended that the project be awarded to the low bidder. Memo, bid tabulation, project description memo and location map with agenda. Resolution awarding contract to Sancon Engineering, Inc. needed. Funds are budgeted.)

ACTION: Res. 86-414 adopted awarding contract.  
(Engineering Services to handle)

CONSENT

22. Consider award of contract for the asphalt concrete curb and paving project at the Water Quality Control Plant to George Reed, Inc. (Bids were opened on April 22, 1986. The low bid of \$17,777, submitted by George Reed, Inc., is 28.36% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to George Reed, Inc. Memo and bid tabulation with agenda. Resolution awarding contract to George Reed, Inc. needed. Funds are budgeted.)

ACTION: Res. 86-415 adopted awarding contract.  
(Engineering Services to handle)

CONSENT

23. Consider award of contract for the 13th Street water line strengthening to Joe Martin Pipeline, Inc. (Bids were opened on April 22, 1986. The low bid of \$24,000, submitted by Joe Martin Pipeline, Inc., is 3.34% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to Joe Martin Pipeline, Inc. Memo and bid tabulation with agenda. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Estimated cost: \$24,000. Funds are budgeted.)

ACTION: Res. 86-426 adopted awarding contract.  
(Engineering Services to handle)

WRITTEN COMMUNICATIONS

24. Letter from Linda J. Bell requesting permission to have a Christian concert with amplified music in Graceada Park to be sponsored by Lighthouse Temple Church.

Request withdrawn by Ms. Bell.

CONSENT

25. Consider a letter from Linda Hoile requesting that the Modesto Film Commission be named as the official film liaison for the area.

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

CONSENT

26. Letter from Downtown Improvement District requesting the use of downtown sidewalks for a sale May 14th through May 17th, 1986. (Motion approving request needed.)

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

CONSENT

27. Application by Medicoach for a Limited Ambulance Permit to provide non-emergency transportation .  
(Resolution setting hearing May 20, 1986 at 4:00 p.m. needed.)

ACTION: Res. 86-417 adopted setting hearing. (City Clerk to handle)

28. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

Mayor Mensinger excused due to a conflict of interest.  
Ken Adair asked questions concerning the community center.

NEW BUSINESS

29. Consider approving acquisition of 275+ acres of land from Wendel and Erna Trinkler for industrial expansion of the wastewater system.  
(The Trinklers have agreed to sell the required property for the appraised value of \$940,000. Memo with agenda. Resolution approving agreement needed. Estimated total cost: \$950,000 (acquisition \$140,000; est. escrow \$10,000). Funds are budgeted.)

ACTION: Res. 86-418 adopted (Patterson/McGrath, unan., Lang absent)  
approving acquisition of land. (Utility Services to handle)  
CONSENT

30. Consider emergency summer irrigation discharge.  
(Memo with agenda. Six resolutions authorizing irrigation, appropriating funds and waiving bid procedures needed. Estimated cost: \$495,691 (industrial users \$173,491; City \$322,200). Funds are budgeted.)

ACTION: Res. 86-419 adopted (Patterson/Whiteside, unan., Lang absent)  
approving appropriating transfer.  
Res. 86-420 adopted (Patterson/Whiteside, unan., Lang absent)  
waiving formal bid procedures and authorizing the purchase of irrigation services from Hailwood Ranch for \$36,773.  
Res. 86-421 adopted (Patterson/Whiteside, unan., Lang absent)  
waiving bid procedures and authorizing the purchase of field preparation services from Arsenio Lang Leveling, Inc. for \$208,599.  
Res. 86-422 adopted (Patterson/Whiteside, unan., Lang absent)  
waiving formal bid procedures and authorizing the purchase of mosquito control services from Turlock Mosquito Abatement District for \$84,468.  
Res. 86-423 adopted (Patterson/Whiteside, unan., Lang absent)  
waiving formal bid procedures and authorizing the purchase of pump rental services from Stang Hydronics for \$17,145.  
Res. 86-424 adopted (Patterson/Whiteside, unan., Lang absent)  
waiving formal bid procedures and authorizing pipeline rental services from Rain for Rent for \$53,800.  
(Utility Services to handle)

31. Consider request by King-Kennedy Memorial Center Board for City financial assistance.  
(Councilmember Patterson to be excused due to a conflict of interest.)  
(The Board is requesting the City pay the insurance for June Tenth Day on June 14 at Mellis Park. Staff has reviewed the request with the Board and recommends approval. Memo with agenda. Resolution approving request needed. Estimated cost: \$600. Funds are budgeted.)

ACTION: Res. 86-425 adopted (Muratore/McGrath, unan., Lang and Patterson absent) approving expenditure up to \$1,100.

32. Consideration of dates for review of the 1986-87 Proposed Budget and the Four-Year Capital Improvement Program.  
(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Whiteside/McGrath, unan., Lang absent) the proposed schedule was approved, except that the first session will be May 13 from 2:00 to 4:00 p.m. rather than May 12.

CONSENT

33. Set public hearing June 10, 1986, at 7:30 p.m. to consider 1986-87 Proposed Budget.  
(Presentation of 1986-87 Proposed Budget. Documents will be presented at the meeting. Resolution setting hearing needed.)

ACTION: Res. 86-426 adopted setting hearing. (City Clerk to handle)

CONSENT

34. Consider participation in the Authority for California Cities excess liability program.  
(Memo with agenda. Resolution authorizing City Manager to sign contract needed. Estimated cost: \$400,022. Funds are budgeted.)

ACTION: Res. 86-427 adopted (Whiteside/Sutton unan., Lang absent) approving participation.  
By motion (Patterson/McGrath, unan., Lang absent) Jim Lippert was designated as the City of Modesto's representative on the Board.  
(City Attorney to handle)

CONSENT

35. Consider authorizing City Manager to sign easement to install water line in Modesto Irrigation District right of way on the north side of Lateral No. 6 west of McHenry Avenue.  
(This easement will provide for the installation of a water line that will connect a proposed well in that area on McHenry Avenue. Resolution authorizing City Manager to sign easement needed.)

ACTION: Res. 86-428 adopted authorizing City Manager to sign easement  
(Engineering Services to handle)

CONSENT

36. Consider approving lease agreement with Gus J. Papatone for the lease of the proposed Roselle Neighborhood Park site.  
(This is a one-year renewal of an existing lease. Mr. Papatone pays the City \$740/year for this 11.3+ acre site. Mr. Papatone is the only person who can lease the site because of its location and the irrigation system. Resolution approving agreement needed.)

ACTION: Res. 86-429 adopted approving agreement. (Utility Services to handle)

CONSENT

37. Consider escalation of sewer bond redemption charges for residential, commercial and industrial properties for fiscal year 1986-87.  
(Annually the City must take action concerning escalation of bond redemption charges for sewer service. It is recommended that the escalation of these charges not be waived for fiscal year 1986-87. Memo with agenda. Motion approving recommendation needed.)

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

CONSENT

38. Consider modifying speed limits on various streets.  
(Memo with agenda. A total of 15 updated, revised, or new radar-enforceable speed limits are proposed. One new and one revised non-radar-enforceable speed limits are also proposed. Introduction of an ordinance amending Sections 3-2.1401 and 3-2.1401.1 needed. Estimated cost: \$570; funds are budgeted.)

ACTION: By motion, Ord. No. 2422-C.S. introduced amending the Municipal Code. (City Clerk to handle)

CONSENT

39. Consider setting public hearing May 20, 1986, at 4:00 p.m. to consider Community Development Block Grant Application for fiscal year 1986-87.  
(H.U.D. requires that the public be given an opportunity to comment on the application and proposed programs for C.D.B.G. funding. Memo with agenda. Resolution setting hearing needed.)

ACTION: Res. 86-430 adopted setting hearing. (City Clerk to handle)

CONSENT

40. Consider amendment of Position Classification Plan to reclassify Equipment Service Worker to Equipment Service Worker I at the same salary range 119.0 and add new classification of Equipment Service Worker II at salary range 120.5.  
(Memo with agenda. Resolution amending Position Classification Plan needed, and resolution amending alphabetical listing of classifications in the salary resolution needed. Estimated cost: \$512. Adjustments will be absorbed by salary savings.)

ACTION: Res. 86-431 adopted amending Position Classification Plan.  
Res. 86-432 adopted amending alphabetical listing of classifications in the salary resolution. (City Manager to handle)

CONSENT

41. Consider approval of final map of Redford Estates 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: P & R Enterprises.  
(The subdivision agreement has been signed and all fees paid. Redford Estates is located south of Standiford Avenue, west of Sherwood Avenue. It contains 1.717 acres. Resolution approving final map needed.)

ACTION: Res. 86-433 adopted approving final map. (City Clerk to handle)

CONSENT

42. Consider approval of the final map of Diablo Hills Unit No. 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: Lodi Development, Inc.  
(The subdivision agreement has been signed and all fees paid. Diablo Hills Unit No. 2 is located at the northeast corner of Kansas Avenue and Morse Road. It contains 16.962 acres. Resolution approving final map needed.)

ACTION: Res. 86-434 adopted approving final map. (City Clerk to handle)

CONSENT

43. Consider approval of the final map of Vintage Faire 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: Vintage Faire Development, Inc.  
(The subdivision agreement has been signed and all fees paid. Vintage Faire No. 6 is located south of Veneman Avenue at Conant Avenue. It contains 7.97 acres. Resolution approving final map needed.)

ACTION: Res. 86-435 adopted approving final map. (City Clerk to handle)

CONSENT

44. Consider approval of the contract agreement for subdivision construction inspection with R. D. Mangum.  
(Subdivision construction has increased and the agreement with the contract inspector for an additional amount is necessary to cover the increased inspection. Resolution approving agreement needed. Estimated cost: \$10,000. Funds are budgeted.)

ACTION: Res. 86-436 adopted approving agreement.  
(Engineering Services to handle)

CONSENT

45. Consider abandonment of the 20.00 foot wide public utility easement in Block 6515 of the City of Modesto.  
(Memo with agenda. Resolution vacating and abandoning the 20.00 foot public utility easement in Block 6515 needed.)

ACTION: Res. 86-437 adopted vacating and abandoning the public utility easement in Block 6515.  
(Engineering Services to handle)

CONSENT

46. Consider approval of "Offer to Purchase" an easement across Hetch Hetchy right of way on Semallon Drive and authorize City Manager to sign on behalf of the City.  
(Memo with agenda. Resolution approving "Offer to Purchase" and authorizing City Manager to sign needed.)

ACTION: Res. 86-438 adopted approving offer to purchase and authorizing City Manager to sign.  
(Utility Services to handle)

CONSENT

47. Consider amendments to the Standard Specifications of the City of Modesto. (On April 7, 1986, the Planning Commission adopted Res. No. 86-59 recommending to the City Council amendments to the Standard Specifications of the City of Modesto. The proposed amendments include both substantive and nonsubstantive changes recommended by the Engineering Services Department. Major changes relate to installation of check valves for on-site fire systems and energizing of controllers for back-up lot irrigation systems. The amendments have been reviewed and approved by the Construction Industry Liaison Committee. Report with agenda. Resolution amending the Standard Specifications needed.)

ACTION: Res. 86-439 adopted amending the Standard Specifications.  
(Engineering Services to handle)

CONSENT

48. Set date for public hearing to consider amendment to Title III - Public Safety, of the Modesto Municipal Code (Traffic Signal Assessment Policy). (On March 17, 1986, the Planning Commission adopted Res. No. 86-48 recommending a traffic signal assessment policy for adoption by the City Council. Adoption would be in the form of an ordinance amending the Code and a resolution setting fees. A public hearing is needed. Resolution setting hearing May 27, 1986, at 7:30 p.m. needed.)

ACTION: Res. 86-440 adopted setting hearing. (City Clerk to handle)

CONSENT

49. Set date for public hearing for proposed Kansas Avenue No. 5 Reorganization to the City of Modesto. (On April 16, 1986, LAFCO approved the Kansas Avenue No. 5 Reorganization to the City of Modesto. The reorganization would include annexation to the City of Modesto, the Modesto Municipal Sewer District No. 1, and detachment from the Woodland Avenue Fire Protection District. This uninhabited proposal includes 19.483 acres with rural and agricultural uses, and eight home sites along the north side of Kansas Avenue west of Rosemore Avenue. Resolution setting public hearing on May 27, 1986, at 7:30 p.m. needed.)

ACTION: Res. 86-441 adopted setting hearing. (City Clerk to handle)

50. 1985 Urban Growth Policy review recommendations from the Public Projects Committee. (The Committee concludes that there is a need to address school impacts before sewer trunks are extended. The Public Projects Committee recommends that a School Advisory Committee be formed to meet the attached charge and report findings and recommendations to the Public Projects Committee by June 30, 1986. It is recommended that the potential sewer trunk extensions and redesignation of the College West Area be discussed at the City Council meeting of June 3, 1986. Memo with agenda. Motion acknowledging receipt of the 1985 Urban Growth Policy Review needed, and motion directing formation of a Schools Advisory Committee to address school needs needed.)

ACTION: By motion (Sutton/Whiteside, unan., Lang absent) receipt of the report was acknowledged, June 3 was designated as the date when the report will be discussed, and establishment of the proposed Schools Advisory Committee was approved to include three Citizens at Large rather than one. (Planning & Community Development to handle)

MISCELLANEOUS

CONSENT

51. Legislation: Staff recommends:

Support:

AB 2335 (Katz) - "Covered" Vehicle Loads

AB 3290 (Rogers) - Sales and Use Tax Revenues

AB 3468 (Johnston) - Hazardous Materials. Transportation in Railroad Cars.

SCA 12 (Foran) - Motor Vehicle Fuel Revenues - County Expenditures

Oppose

AB 2752 (Bronzan) - Health Care Benefits

SB 2475 (Vuich) - City Payment to the County for the Cost of Administration of Property Taxes

(Memos and attachments with agenda. Motion accepting staff recommendation needed.)

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

52. Appointments

ACTION: Res. 86-442 adopted (Whiteside/Sutton, unan., Lang absent) appointing Kai Robinson to the Recycling Committee, replacing Jim Knox. (City Clerk to handle)

53. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff)

There was a discussion of the questions raised by Ken Adair.

CLOSED SESSION

54. Closed session to consider an employee relations matter.

ADJOURNMENT

Meeting adjourned to closed session at 7:20 p.m.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
May 13, 1986

The Council of the City of Modesto met pursuant to adjournment at 2:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers Lang, McGrath, Patterson, Sutton, Whiteside,  
Mayor Mensinger  
(Councilmember Lang arrived at 3:50 p.m.)

Absent: Councilmember Muratore

The following budgets were reviewed:

- City Council
- City Manager
  - Citizens Information Service
  - Personnel
  - Word Processing Center
- City Attorney
  - Insurance
  - Risk Management
  - City Self-Insurance
- City Clerk and Auditor
- Economic Development

The meeting adjourned at 4:00 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 13 1986, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 5, 7, 8, 9, 10, 11, 12, 13, 14,  
15, 19, 20, 21, 22, 23, 24, 26, 27,  
Removed from consent: 25 28, 29, 30, 31, 33

ACTION: (Lang/McGrath, unan.)

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

### ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of \$4,000 by Soroptimist International of Modesto North to the City of Modesto for use at Beyer Park.  
Sandy Ellespuru, President of Soroptimist International of Modesto North, presented the check to the City for use in development of Beyer Park.
2. Presentation to the Modesto Swim Team.  
Mayor Mensinger presented a T-shirt to Tim Olyphant for qualifying for the Senior Nationals in Orlando, Florida, and presented a letter to the Swim Coach for inclusion in the program welcoming swimmers to Modesto.

### MINUTES

#### CONSENT

3. Approval of the minutes of the regular meeting of May 6, 1986.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

4. Consider request of representatives of the Modesto Chamber of Commerce and the American Association of University Women for a resolution in support of Proposition 49, Non-Partisan Local Elections.  
(Memo with agenda. Resolution in support of Proposition 49 needed.)

ACTION: Res. 86-443 adopted (Whiteside/Lang, McGrath, Patterson-no) supporting Proposition 49. (Mgr. to handle)

CONSENT

5. Final adoption of:

- a. Ord. No. 2418-C.S. rezoning from C-1 and R-2 to P-D(398) to allow an office building on the west side of Coffee between Chadwick Court and E. Fairmont Avenue. (Don Payne)
- b. Ord. No. 2419-C.S. repealing P-D(344) and rezone to R-3, property located on the west corner of 16th and G Streets. (Planning Commission initiated)
- c. Ord. No. 2420-C.S. repealing P-D(284) and rezoning to R-2, property located on the south side of Sylvan Avenue east of Keller Street. (Planning Commission initiated)
- d. Ord. No. 2421-C.S. repealing P-D(305) and rezoning to R-2, property located on the east side of Coffee Road north and south of Grand Prix Drive. (Planning Commission initiated)
- e. Ord. No. 2422-C.S. amending the Modesto Municipal Code relating to speed limits.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

6. Informal hearing on LaLoma traffic study.

(Continued from the March 25, 1986, City Council meeting)

ACTION: By motion (Lang/Sutton, majority, McGrath and Patterson-no, Whiteside absent) staff directed to proceed with the concept of installing computerized signals on La Loma with details to be worked out by the staff.

Res. 86-444 adopted (Lang/Sutton, unan., Whiteside absent) accepting the report and authorizing payment to the consultant. (P.T./Finance to handle)

CONSENT

BIDS

7. Consider approving specifications and authorizing call for bids to be opened June 3, 1986, at 3:30 p.m., for furnishing annual compaction, aggregate and concrete testing services.  
(The tests will be performed on various City streets, water, or construction projects. The services will be purchased intermittently throughout the 1986-87 fiscal year. Resolution approving specifications and authorizing call for bids needed. Funds are budgeted. Estimated cost: \$7,500.)

ACTION: Res. 86-445 adopted calling for bids.

(Finance to handle)

CONSENT

8. Consider approving specifications and authorizing call for bids for furnishing annual requirements of swimming pool chlorine and muratic acid to be opened on June 3, 1986, at 3:05 p.m.  
(The swimming pool chlorine and muratic acid will be used throughout the year by the Parks and Recreation department for swimming and training pool maintenance. The swimming pool chlorine and muratic acid will be purchased throughout the 1986-87 fiscal year. Resolution approving specifications and authorizing call for bids needed. Funds are budgeted. Estimated cost: \$9,308.)

ACTION: Res. 86-446 adopted calling for bids. (Finance to handle)

CONSENT

9. Consider approving specifications and authorizing call for bids for furnishing dry cell batteries to be opened June 3, 1986, at 3:10 p.m. 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. Funds are budgeted. Estimated City cost: \$2,700.)

ACTION: Res. 86-447 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider approving specifications and authorizing the call for bids for furnishing emergency breathing equipment to be opened on June 10, 1986, at 3:00 p.m.  
(Requested by the Fire Department, this equipment is used by firefighters in firefighting, rescue, and other emergency situations where breathing equipment is essential to the protection of the firefighter. Resolution approving specifications and authorizing the call for bids needed. Funds are budgeted. Estimated cost: \$8,804.)

ACTION: Res. 86-448 adopted calling for bids. (Finance to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for the Morse Avenue water line extension.  
(Suggested bid opening: June 3, 1986, at 11:05 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$21,730 (\$19,300, contract; \$2,430, engineering and cont.) Funds are budgeted.)

ACTION: Res. 86-449 adopted calling for bids. (Eng. to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for the 1986 curb drain repair.  
(Suggested bid opening: June 3, 1986, at 11:00 a.m. This project will replace existing substandard curb inlets, install one inlet and improve drainage on Burney. Locations have been checked and are not in the vicinity of any City Councilmember's property.)

ACTION: Res. 86-450 adopted calling for bids. (Eng. to handle)

CONSENT

13. Consider acceptance of Bond Construction Company's contract for the Kansas Avenue water line extension. (Original contract: \$124,390)  
(All work on this project has been completed to the satisfaction of the Engineering Services and Utility Services 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. Estimated cost: \$121,786. Funds are budgeted.)

ACTION: Res. 86-451 adopted accepting work as complete. (Clerk to handle)

CONSENT

14. Consider acceptance of Sancon's contract for the refinishing of clarifier No. 1 at the Water Quality Control Plant. (Original contract: \$49,500)  
(All work on this project has been completed to the satisfaction of the Engineering Services and Utility Services 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. Estimated cost: \$57,000. Funds are budgeted.)

ACTION: Res. 86-452 adopted accepting work as complete. (Clerk to handle)

CONSENT

15. Consider waiving formal bid procedures and authorize the purchase of Hi-Ranger control conversion services from Mobile Hydraulic Equipment, Inc., for \$5,189.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing the purchase needed (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 86-453 adopted waiving formal bid procedures. (Finance to handle)

WRITTEN COMMUNICATIONS

16. Letter from Peggy S. Fields concerning the library.  
No action taken

17. MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)  
Robert Short requested additional handicapped parking and some passenger loading zones near Mancini Bowl; asked if on-street parking could be eliminated on nights when street sweeping is scheduled; asked if lottery funds could be used for the library (was told the funds cannot be used); and said he believed traffic signals on one-way streets should be changed so the signal does not show from the wrong direction.  
(P/T to handle)

- Councilmember Sutton excused at 10:45 p.m.
18. Consider approval of new golf rates.  
(Staff has reviewed the golf rates at Dryden and Muni 9-Hole Golf Courses. Memo with agenda. Resolution establishing new fee schedule needed.)

ACTION: By motion (Muratore/Whiteside, unan., Sutton absent) this item was continued to June 10, 1986.  
Councilmember Lang was excused at 11:10 p.m.

There was a five minute recess at 11:10 p.m.

CONSENT

19. Consider setting a hearing regarding the Stanislaus County 1986 Solid Waste Management Plan.  
(Resolution setting hearing May 27, 1986, at 7:30 p.m. needed.)

ACTION: Res. 86-454 adopted setting hearing. (Clerk to handle)

CONSENT

20. Consider abandonment of 5 feet of the 10 foot wide public utility easement in Block O in the City of Modesto.  
(Memo with agenda. Resolution vacating and abandoning 5 feet of the easement needed.)

ACTION: Res. 86-455 adopted abandoning 5 feet. (Eng. to handle)

CONSENT

21. Consider authorizing City Manager to sign agreement with Transworld Financial, Inc., for storm sewer installation in Oakdale Road for a mini-warehouse project (P-D(396)). The project is located on Oakdale Road between Manor Oak Drive and Floyd Avenue.  
(The master storm drainage plan for Orchard Neighborhood requires the installation of a 36 inch storm drain trunk line in Oakdale Road. Developer has requested permission to install the line to reduce time delays and cost increases to both City and himself. An agreement is needed to allow reimbursement for construction costs. Resolution approving agreement needed. Estimated cost: \$22,540. Funds are budgeted.)

ACTION: Res. 86-456 adopted approving agreement. (Eng. to handle)

CONSENT

22. Consider acceptance of improvements in Pioneer Village No. 2 Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Horn Construction)  
(Pioneer Village No. 2 is located east of Carpenter Road and south of Elm Avenue. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 86-457 adopted accepting improvements as complete. (Clerk to handle)

23. Consider approving assignment of lease from Ben C. and Joyce Turner to FEGM Enterprises, Inc.

(This is an assignment of the existing Kings Bench Restaurant lease in the City Hall Annex. All terms remain the same. Memo with agenda. Resolution approving assignment of lease needed.)

ACTION: Res. 86-458 adopted approving assignment of lease. (Utility Serv. to handle)

CONSENT

24. Consider Summer Water Conservation Program for 1986.

(Staff recommends adoption of a Water Conservation Program again this summer, including a Council resolution prohibiting all outside water use from 4:00 to 8:00 p.m., Monday through Friday, during the months of June, July and August. Memo with agenda. Resolution approving Water Conservation Program needed. Estimated cost: \$6,700. Funds are budgeted.)

ACTION: Res. 86-459 adopted approving Water Conservation Program. (Utility Services to handle)

CONSENT

25. Consider approval of request from Picnic in the Park Committee.

(The Picnic in the Park Committee is requesting the use of Graceada Park for the 12th annual Fourth of July Picnic in the Park. Memo with agenda. Resolution approving request needed.)

ACTION: A motion to approve (Patterson/McGrath, Muratore, Whiteside, Mayor Mensinger-no, Lang and Sutton absent) failed to carry.

By motion (Whiteside/Patterson, unan., Lang, Sutton absent) this item was carried over one week. (Clerk to handle)

CONSENT

26. Consider setting date for a public hearing to reconsider the proposed closure of North Morton Boulevard between Jennie Street and new State Highway 132.

(By Resolution 86-73, adopted on April 21, 1986, the Planning Commission recommended to the County that North Morton Boulevard be elbowed to Jennie Street when new State Highway 132 is constructed rather than creating an intersection with the new highway. Resolution of intention to close North Morton Boulevard between Jennie Street and new State Highway 132, setting June 10, 1986, at 7:30 p.m., as the date for a public hearing to consider the closure, and rescinding Resolution of Intention 84-527.)

ACTION: Res. 86-460 adopted setting hearing. (Clerk to handle)

CONSENT

27. Consider terminating agreement with Wilbur J. Elias & Associates, Inc., to provide inspection services on the Pavement Marking Demonstration Program.

(Memo with Agenda. Wilbur Elias' insurance carrier has increased the cost of required liability insurance to a prohibitive level. He would therefore prefer to be released from his agreement with the City. A replacement has been obtained. Resolution terminating agreement needed.)

ACTION: Res. 86-461 adopted terminating agreement. (P/T to handle)

CONSENT

28. Presentation of proposed Four-Year Capital Improvement Program 1986-87 through 1989-90.

(Copies of the document will be presented at the meeting. Motion acknowledging receipt of document needed.)

ACTION: By motion, receipt of document acknowledged.

CONSENT

29. Consider approval of utility pay station agreement with Tully Manor Floral and Gifts, 3430 Tully Road, Suite 17.

(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-462 adopted approving agreement. (Finance to handle)

CONSENT

30. Consider appropriating funds from the Sewer Fund Reserves for the amount required by the State to be paid to the Cleanup and Abatement Fund.

(The State Water Quality Control Board has ordered a payment of \$100,000 to the Cleanup and Abatement Fund per State Order 86-097. Resolution approving appropriation transfer needed.)

ACTION: Res. 86-463 adopted approving appropriation transfer. (Finance to handle)

CONSENT

31. Consider appointing Stan Yamamoto to serve as Acting City Attorney in the absence of Elwyn L. Johnson, City Attorney.

(Memo with agenda. Resolution appointing Stan Yamamoto as Acting City Attorney needed.)

ACTION: Res. 86-464 adopted appointing Stan Yamamoto as Acting City Attorney. (Atty. to handle)

32. Procedural steps to implement change in retirement plan for sworn officers of the City of Modesto Police Department.

(These procedural steps are required to arrive at a date of implementation of June 24, 1986. Oral presentation will be made at the meeting. Adoption of Resolution of Intention and introduction of ordinance needed.)

ACTION: By motion (Whiteside/McGrath, unan., Lang and Sutton absent) Ord. No. 2423-C.S. introduced. (same vote)

Res. 86-465/adopted implementing change in retirement plan for sworn officers of the City of Modesto Police Department. (Mgr./Clerk to handle)

MISCELLANEOUS

CONSENT

33. Legislation: Staff recommends:

- a. Support of AB 1109 (Campbell), Tax Credit for Recyclable Materials
- b. Support by resolution State Ballot Proposition 43, Community Parklands Act of 1986
- c. Oppose unless amended SB 2232 (McCorquodale), Vehicles: Supertruck Access
- d. Withdraw opposition to AB 2674 (Connelly), Amendments to the Brown Act.

(Memos and attachments with agenda. Motion and one resolution approving staff recommendations needed.)

ACTION: By motion, recommendations approved.

Res. 86-466 adopted (Whiteside/McGrath, Lang and Sutton absent) supporting Proposition 43. (Mgr. to handle)

34. Appointments

ACTION: Res. 86-467 adopted (Muratore/Whiteside, unan., Lang, Sutton absent) reappointing Gwen Abernathy to the D.I.D. Advisory Board, and appointing Keith Vogt to the D.I.D. Advisory Board.

35.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 11:50 p.m. to Thursday, May 15, 1986, at 3:00 p.m. to continue the budget review.

ATTEST:



NORRINE COYLE, City Clerk

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

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

Absent: Mayor Mensinger


The following budgets were reviewed:

Parks and Recreation  
Administration  
Parks Service and Repair  
Parks Grounds Maintenance  
Trees Maintenance  
Trees Planting and Preservation  
Golf Courses General  
Golf Courses 9-Hole  
Golf Courses Dryden  
Community Center  
Cultural Program and Facilities General  
Cultural Program and Facilities Museum  
Cultural Program and Facilities Mansion  
Recreation  
Misc. Facilities General  
Misc. Facilities King-Kennedy Center  
Misc. Facilities Senior Citizens Center  
Misc. Facilities Community Service Center  
Tuolumne River Regional Park

Fire  
Administration  
Disaster and Civil Defense  
Training  
Prevention  
Suppression

The meeting adjourned at 5:10 p.m.

ATTEST:

  
NORRINE COYLE, City Clerk

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

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

Absent: Councilmembers: Mayor Mensinger

The following budgets were reviewed:

- Parking and Traffic
  - Parking and Traffic (General Fund)
  - Parking Fund
  - Bus Service
- Downtown Improvement District
- Planning and Community Development
  - Planning and Community Development (General Fund)
  - Housing and Community Development
- Finance
  - Administration
  - Treasury
  - Finance Division
  - Purchasing
  - Data Processing
  - Microfilm and Records
  - Office Services
  - Central Stores
- Miscellaneous Unclassified
- Police
  - Administration
  - Administrative Services
  - Drug Enforcement Unit
  - Stanislaus Drug Enforcement Agency (Fund 885)
  - Investigative Services
  - Field Operations
  - Animal Control Operations
- Engineering Services
  - Administration
  - Engineering
  - Construction Administration
  - Building Inspection

The meeting adjourned at 5:10 p.m.

ATTEST:   
NORRINE COYLE, City Clerk

5/19/86

151-75

163-75



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 20, 1986, AT 4:00 P.M.

Roll Call - Present: Councilmembers Lang, McGrath, Muratore, Patterson,  
Sutton, Whiteside,  
Councilmember Patterson arrived at 4:05 p.m.

Absent: Mayor Mensinger

Pledge of Allegiance to the Flag

Invocation: Dr. Robert Smythe, First Christian Church of Modesto

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 12, 13, 14, 15, 16, 17, 18,  
19, 23, 24, 25, 28, 29, 30, 31

Removed from consent: 20, 27

ACTION: (Lang/McGrath, unan., Mayor Mensinger absent)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Modesto High School Band members remarks on experiences at World Fair and visit to Vernon, British Columbia.

Two members of Modesto High School Band spoke about the Band trip to Vernon, B.C.

## MINUTES

### CONSENT

2. Approval of the minutes of the May 12, 1986 adjourned regular City Council meeting and the May 13, 1986, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Proposition 47, Guaranteeing the Vehicle License Fee as a Local Government Revenue Source.  
(Acting Sheriff of Stanislaus County, Jim Trevena, has requested the Modesto City Council pass a resolution in support of Proposition 47. Memo with agenda. Resolution in support of Proposition 47 needed.)

ACTION: Res. 86-468 adopted (Lang/Muratore, unan.) supporting Proposition 47.  
(Atty to handle)

4. Further consideration of request from Picnic in the Park Committee.  
(The Picnic in the Park Committee is requesting the use of Graceada Park for the 12th Annual Fourth of July Picnic in the Park. Continued from May 13, 1986 Council meeting.)  
Councilmember Muratore excused due to a conflict of interest.

ACTION: Res. 86-459 adopted (Patterson/Lang, majority, Whiteside-no Muratore and Mayor Mensinger absent) request approved on a one-time basis.  
(Parks and Recreation/Police to handle)

5. Report on status of library.  
(Oral report will be made at the meeting.)

No action taken.

HEARINGS

6. Hearing to consider an amendment to Section 12-3-8 of the Zoning Map to rezone from a portion of P-D(388) and P-0 to P-D(399) to allow a one-story convalescent hospital and one-story residential facility, property located on the east side of Dale Road north of Veneman Avenue.  
(Mike and Marilyn Carney)

ACTION: By motion (Lang/Patterson, unan., Mayor Mensinger absent) Ord. No. 2424-C.S. introduced.  
Res. 86-470 adopted (same vote) approving plan.  
Res. 86-471 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

7. Hearing to consider an amendment to Section 12-3-8 of the Zoning Map to rezone from P-D(388) to a new P-D(400), to allow a three-story senior citizens housing project, property located on the east side of Dale Road north of Veneman Avenue. (Autumn Shelters, Inc.)

ACTION: By motion (Lang/Sutton, unan., Mayor Mensinger absent) Ord. No. 2425-C.S. introduced.  
Res. 86-472 adopted (same vote) approving plan.  
Res. 86-473 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

8. Hearing to consider an application by Medicoach for a Limited Ambulance Permit to provide non-emergency transportation.

ACTION: Res. 86-474 adopted (Lang/Muratore, unan., Mayor Mensinger absent) approving application. (Police to handle)

9. Hearing to consider Community Development Block Grant Application for fiscal year 1986-87.

ACTION: Res. 86-475 adopted (Lang/Sutton, unan., Mayor Mensinger absent) approving application for Community Development Block Grant) (Planning to handle)

10. Hearing to consider an amendment to Section 14-3-9 of the Zoning Map to rezone from R-1 and R-2 to P-D(402) property located north and south of Manor Oak Drive east of Oakdale Road. (Rule Development)

ACTION: By motion (Muratore/McGrath, unan., Mayor Mensinger absent) Ord. No. 2426-C.S. introduced.  
Res. 86-475 adopted (same vote) approving plan.  
Res. 86-476 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

11. Hearing to consider an amendment to Section 19-3-10 of the Zoning Map to rezone from R-1 to P-D(401) for a mobile home park, property located on the south side of Parker Road between Held Drive and Santa Fe Railroad. (R. C. Roberts)

ACTION: By motion (Patterson/McGrath, unan., Mayor Mensinger absent) Ord. No. 2427-C.S. introduced.  
Res. 86-478 adopted (same vote) approving plan.  
Res. 86-479 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

#### BIDS

#### CONSENT

12. Consider approval of plans and specifications and call for bids for Floyd Avenue water line extension.  
(Suggested bid opening: June 10, 1986, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$13,417 (contract \$11,742; engineering & cont. \$1,675). Funds are budgeted.)

ACTION: Res. 86-480 adopted calling for bids. (Eng to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for the waterline extension on Woodland Avenue from Morse Avenue to Blue Gum Avenue.  
(Suggested bid opening: June 10, 1986, at 11:05 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$85,620 (contract \$76,930; engineering & cont. \$8,690). Funds are budgeted.)

ACTION: Res. 86-481 adopted calling for bids. (Eng to handle)

CONSENT

14. Consider approval of plans and specifications and call for bids for Emerald Avenue reconstruction from Maze Boulevard to Kansas Avenue and overlay various City streets.  
(Suggested bid opening: June 10, 1986, at 11:10 a.m. Memo and list of streets with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$869,873.62 (contract \$790,794.20; engineering \$79,079.42). Funds are budgeted.)

ACTION: Res. 86-482 adopted calling for bids. (Eng to handle)

CONSENT

15. Consider approving specifications and authorizing call for bids to be opened June 17, 1986, at 3:00 p.m. for furnishing sludge removal services. (Requested by the Utility Services Sewerage Division, the services are required to remove dried digested sludge from the drying beds. The sludge will be transported to a disposal site where it will be disced in the soil. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$12,500; funds are budgeted.)

ACTION: Res. 86-483 adopted calling for bids. (Finance to handle)

CONSENT

16. Consider declaring Delta Rubber low bidder and authorize the City Manager to sign agreement for the purchase of replacement fire hose from the firm for the total price of \$10,239.60.  
(Memorandum with agenda. Resolution awarding contract to Delta Rubber needed. Funds are budgeted.)

ACTION: Res. 86-484 adopted awarding contract. (Finance to handle)

CONSENT

17. Consider award of contract for the "K" Street water strengthening.  
(Bids were opened on May 13, 1986. The low bid of \$42,903.70, submitted by Joe Martin Pipeline is 9.23% below the Engineer's Estimate and considered acceptable. It is recommended that the contract be awarded to Joe Martin Pipeline, Inc. Memo and bid tabulation with agenda. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Funds are budgeted.)

ACTION: Res. 86-485 adopted awarding contract. (Eng to handle)

CONSENT

18. Consider award of contract for the resurfacing of Graceada Park Tennis Courts  
(Bids were opened on May 13, 1986. The low bid of \$98,085, submitted by Genstar, is 1.92% 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 Genstar needed. Funds are budgeted.)

ACTION: Res. 86-486 adopted awarding contract. (Eng to handle)

CONSENT

19. Consider waiving formal bid procedures and authorize the issuance of a purchase order to Osterberg and Stewart Well Drilling Company for rebuilding Water Well No. 19.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase of water well rebuilding services from Osterberg and Stewart needed. (Five affirmative votes needed.) Estimated cost: \$14,505. Funds are budgeted.)

ACTION: Res. 86-487 adopted waiving formal bid procedures.  
(Finance to handle)

WRITTEN COMMUNICATIONS

20. Letter from John Pope, F. W. Woolworth Co., requesting an exception to or a change in the sign regulations.  
(Motion referring to staff needed.)

ACTION: By motion (Patterson/Lang, unan., Mayor Mensinger absent) the request referred to staff. (Planning to handle)

21. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

Ron Jourdenias urged people to attend the Picnic in the Park, commented on the Community Development Block Grant funds, and urged support of the Modesto A's.

NEW BUSINESS

22. Consideration of whether the City desires to pursue Special Assessment Benefit District for landscaping.  
(Memo with agenda. John Doxey, representing Berberian land development interest in the Yosemite Neighborhood, proposes a Special Assessment Benefit District for Landscaping (SABDL) for the installation of and ongoing maintenance of back-up lot landscaping along Claus Road and a median landscaping of a collector street within the project. Staff recommends a SABDL Policy and Procedure be established similar to Special Assessment District Financing and consideration of the request under the procedures.)

ACTION: Res. 86-488 adopted (Lang/Muratore, unan., Mayor Mensinger absent) approving policy.  
Res. 86-489 adopted (same vote) establishing fees. (Planning to handle)

CONSENT

23. Updating of Special Assessment District Financing Policy and Procedure. (Memo with agenda. The policy is made more liberal given the trend toward financing more public improvements via Special Assessment District Financing. Resolution adopting the update and superceding original resolution needed, and resolution establishing filing fees needed.)

ACTION: Res. 86-490 adopted approving updated policy and procedure.  
Res. 86-491 adopted establishing filing fees. (Planning to handle)

CONSENT

24. Consider authorizing the City Manager to execute a grant application for \$100,000 to the State Office of Criminal Justice Planning for the Modesto Community Involved Crime Resistance Program. (Memo with agenda. Resolution authorizing grant application needed. Estimated cost: \$112,311.)

ACTION: Res. 86-492 adopted authorizing grant application. (Police to handle)

CONSENT

25. Consider setting public hearing June 10, 1986, at 7:30 p.m. to authorize filing for federal transit operating grant for fiscal year 1986-87. (Memo with agenda. The grant will cover \$1,337,969 of the estimated \$3,308,937 operating cost of Intracity Transit and Dial-A-Ride during fiscal year 1986-87. Transportation Development Act funds, passenger fares, and bus bench revenues will cover the remaining costs. Resolution setting hearing needed.)

ACTION: Res. 86-493 adopted setting hearing. (Clerk to handle)

26. Notice from Caltrans of their intention to relinquish the Carpenter-Briggsmore overpass right of way to the City of Modesto. (Memo with agenda. Terms of the February 24, 1970 freeway agreement have been completed except for relinquishment of the local street (Carpenter-Briggsmore) to the City. Motion acknowledging receipt of report needed.)

ACTION: By motion (Lang/Sutton, unan., Mayor Mensinger absent) receipt of report acknowledged.

27. Consider approving contract with Parsons Brinckerhoff Quade & Douglas, Inc. to determine if Southern Pacific Railroad Depot can be moved as contemplated in the Transportation Center design. (Memo with agenda. Caltrans has questioned the movability of the depot. This contract will determine with certainty if it can be moved. Resolution approving agreement needed. Estimated cost: \$8,200. Funds are budgeted.)

ACTION: Res. 86-494 adopted (McGrath/Lang, unan., Mayor Mensinger absent) approving agreement. (P/T to handle)

CONSENT

28. Consider approval of hold harmless agreement for use of Modesto Junior College Stadium.  
(The City-sponsored All Comers Track Meet is scheduled at the Modesto Junior College Stadium. The College requires a hold harmless agreement be provided by the City. Memo with agenda. Resolution approving hold harmless agreement.)

ACTION: Res. 86-495 adopted approving hold harmless agreement.  
(P/R to handle)

CONSENT

29. Consider approving two lease agreements with Joe Di Anna for the lease of two Dry Creek properties - a portion of Riverside Park site and the former Bomberger property.  
(These are one-year renewals of existing leases. In each case, the tenant pays 20% of the crop, maintains the properties, pays taxes, etc. There are no changes from past leases. Two resolutions approving agreements needed.)

ACTION: Res. 86-496 adopted approving agreement for Riverside Park site.  
Res. 86-497 adopted approving agreement for former Bomberger property.  
(Utility Services to handle)

CONSENT

30. Presentation of Monthly Treasurer's Report for April, 1986.  
(Copies of the report will be presented at the meeting. Motion acknowledging receipt of report needed.)

ACTION: By motion receipt of report acknowledged.

MISCELLANEOUS

CONSENT

31. Legislation:

Staff recommends supporting AB 2714 (Condit) - Dial-A-Ride Services: School Transportation.  
(Memo and attachment with agenda. Motion accepting staff recommendation needed.)

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

32. Appointments

ACTION: Res. 86-499 adopted (Muratore/Sutton, unan., Mayor Mensinger absent) appointing Ida Leal, Frank Muench and Barbariae Boyette to the Human Relations Commission.

Res. 86-500 adopted (Muratore/Sutton, unan., Mayor Mensinger absent) appointing R.J. Moriconi and Roger Shrimp to the Culture Commission.

Res. 86-501 adopted (Lang/Sutton, unan., Mayor Mensinger absent) appointing Bill Seavy, Doug Dent, and Marty Ashleigh to the School Advisory Committee.  
(Clerk to handle)

33.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

ACTION: Res. 86-498 adopted (Lang/Patterson, unan., Mayor Mensinger absent)  
approving August Glen final map.

ADJOURNMENT

7:40 p.m.

(The meeting adjourned at / to Thursday, May 22, 1986, at 3:00 p.m. in  
the Council Chambers, City Hall, 801 11th Street, to review proposed  
budget.)

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
May 22, 1986

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

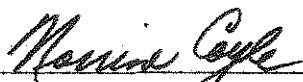
Present: Councilmembers Lang, McGrath, Muratore, Patterson, Sutton,  
Acting Mayor Whiteside

Absent: Mayor Mensinger

Presentations were made by representatives of the various groups requesting funds from the City.

The meeting adjourned at 5:20 p.m.

ATTEST:

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

5/22/86



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, MAY 27, 1986, AT 7:30 P.M.

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

Absent: None

Pledge of Allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4a, 4b, 4d, 11, 12, 13, 14,  
15, 20, 21, 22, 23, 24, 25, 26, 27

Removed from Consent: 4c, 28

ACTION: Lang/Patterson, unan.

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger read a letter from Ken Adair, of the People to People Program, thanking the City for Modesto lapel pins.

### MINUTES

#### CONSENT

2. Approval of the minutes of the May 15, 1986 and May 19, 1986, adjourned regular City Council meetings and the May 20, 1986, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

5/27/86

UNFINISHED BUSINESS

3. Consider supporting Proposition 51, Fair Responsibility Act of 1986 - Closing the Deep Pockets.  
(The Modesto Farm Bureau has requested the Modesto City Council pass a resolution in support of Proposition 51. Memo with agenda. Resolution in support of Proposition 51 needed.)

ACTION: Res. 86-502 adopted (Lang/Sutton, unan.) supporting Proposition 51.

4. Final adoption of:

CONSENT

- a. Ord. No. 2424-C.S. rezoning from a portion of P-D(388) to P-0 and P-D(399), property located on the east side of Dale Road north of Veneman Avenue. (Mike and Marilyn Carney)

CONSENT

- b. Ord. No. 2425-C.S. rezoning from a portion of P-D(388) to P-D(400), property located on the east side of Dale Road north of Veneman Avenue. (Autumn Shelters)

CONSENT

- d. Ord. No. 2427-C.S. rezoning from R-1 to P-D(401) for a mobile home park, property located on the south side of Parker Road between Held Drive and Santa Fe Railroad. (R.C. Roberts)

(Motion adopting needed.)

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

4. Final adoption of;

- c. Ord. No. 2426-C.S. rezoning from R-1 and R-2 to P-D(402), property located north and south of Manor Oak Drive east of Oakdale Road. (Rule Development)

ACTION: By motion (Muratore/McGrath, unan., Mayor Mensinger absent) this item continued one week. (Clerk to handle)

HEARINGS

5. Hearing to consider the appeal of Hart-Ransom Union Elementary School District to a Planning Commission decision regarding the tentative subdivision map of Piedmont Glen subdivision.

ACTION: By motion (Whiteside/Patterson, unan.) this hearing was continued to June 10, 1986, at 7:30 p.m. (Clerk to handle)

6. Hearing to consider Kansas Avenue No. 5 Reorganization to the City of Modesto.

ACTION: Res. 86-503 adopted (Muratore/Whiteside, unan.) annexing to the City of Modesto. (Clerk to handle)

7. Hearing to consider amendment to Title III, Public Safety, of the Modesto Municipal Code, relating to Traffic Signal Assessment Policy.

ACTION: A motion to approve the concept was withdrawn.

By motion (Lang/Patterson, majority, Whiteside and Mayor Mensinger - no) the proposed policy was not adopted.

There was a five minute recess at 10:25 p.m.

8. Hearing to consider Stanislaus County 1986 Solid Waste Management Plan.

ACTION: Res. 86-504 adopted (Lang/Muratore, unan.) approving Solid Waste Management Plan. (Clerk to handle)

9. Hearing to consider an amendment to Section 13-3-8 of the Zoning Map to rezone from R-2, R-3, and C-3, to P-D(403), to allow a shopping center, property located on the northeast side of Sisk Road, west of Prescott. (Interstate Consolidated Industries)

ACTION: By motion (Whiteside/McGrath, unan.) Ord. No. 2428-C.S. introduced. Res. 86-505 adopted (same vote) approving plan. Res. 86-506 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

10. Hearing to consider an amendment to Sections 3-3-8 and 10-3-8 of the Zoning Map to rezone from R-1 to P-D(404) to allow a motel, restaurant, and convenience complex, property located between Salida Boulevard and Freeway 99, south of Pelandale. (Integrated Development)

ACTION: By motion (Muratore/Patterson, unan.) Ord. No. 2429-C.S. introduced. Res. 86-507 adopted (same vote) approving plan. Res. 86-508 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

#### BIDS

#### CONSENT

11. Consider award of contract for slurry seal of various City streets, 1986. (Bids were opened on May 20, 1986. The low bid of \$216,674, submitted by Graham Contractors, is .08% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to Graham Contractors. Memo and bid tabulation with agenda. Resolution awarding contract to Graham Contractors needed. Funds are budgeted.)

ACTION: Res. 86-509 adopted awarding contract. (Eng to handle)

CONSENT

12. Consider award of contract for Imperial Avenue water line strengthening. (Bids were opened on May 20, 1986. The low bid of \$57,872, submitted by Joe Martin Pipeline, is 7.88% below the engineer's estimate and considered acceptable. Therefore, it is recommended that the contract be awarded to Joe Martin Pipeline. Memo and bid tabulation with agenda. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Funds are budgeted.)

ACTION: Res. 86-510 adopted awarding contract. (Eng to handle)

CONSENT

13. Consider award of contract for Conant Avenue water line extension. (Bids were opened on May 20, 1986. The low bid of \$19,996, submitted by Joe Martin Pipeline, Inc., is 10.93% below the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to Joe Martin Pipeline, Inc. Memo and bid tabulation with agenda. Resolution awarding contract to Joe Martin Pipeline needed. Funds are budgeted.)

ACTION: Res. 86-511 adopted awarding contract. (Eng to handle)

CONSENT

14. Consider accepting George Reed, Inc.'s contract to overlay Parking Lot 3 (12th & I Streets) as complete. (Memo with agenda. The \$9,666 contract was awarded on April 8, 1986. Work was completed on May 13, 1986. Resolution accepting work as complete and directing City Clerk to file Notice of Completion needed. Funds are budget.)

ACTION: Res. 86-512 adopted accepting contract as complete. (Clerk to handle)

CONSENT

15. Consider waiving formal bid procedures and authorize the purchase of emergency generator repair services from Engine Power Company for total amount of \$10,810. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the purchase of emergency generator repair services. Funds are budgeted.)

ACTION: Res. 86-513 adopted waiving formal bid procedures. (Finance to handle)

WRITTEN COMMUNICATIONS

16. Letter from Independent Automobile Dealers Association of California regarding private sale of used cars on public property and unauthorized private parking lots.

ACTION: By motion (Muratore/Whiteside, unan.) this matter was referred to staff for study and recommendation. (Police to handle)

17.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Mayor Mensinger excused due to a conflict of interest.

Allen Grant presented a proposal for a community center hotel. By order of the Chair, the proposal was referred to staff for recommendation.  
(Manager to handle)

Ron Jourdenais spoke about several matters.

NEW BUSINESS

18. Consider City Council response to Notice of Intent from Stanislaus County to impose \$1.50 assessment on parking fines for the County Criminal Justice Construction Fund.

(Memo with agenda. Stanislaus County Chief Administrative Officer has notified the City of Modesto that the County is going to adopt a resolution by the Board of Supervisors to collect \$1.50 for each parking citation issued and collected by the City of Modesto per Government Code Section 76004(2). Motion directing staff regarding response to Stanislaus County Chief Administrative Officer needed.)

ACTION: By motion (Lang/Patterson, unan.) it was determined that the City's parking fines would remain at the present level. (Police to handle)

19. Consider setting joint hearing with Redevelopment Agency on Revised Disposition and Development Agreement with Civic Plaza Hotel Associates. (Mayor Mensinger will be excused due to a conflict of interest.) (Memo with agenda. Resolution setting joint hearing June 17, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-514 adopted (Lang/Sutton, majority, Patterson-no, Mayor Mensinger absent) setting hearing June 24, 1986, at 7:30 p.m.  
(Clerk to handle)

CONSENT

20. Consider proposed 1986-87 budget for the administration of City-County Service Agreement of the Waste-to-Energy Project.  
(The agreement between the City and County requires that a budget be prepared for the administration of the service agreement for the proposed Waste-To-Energy Project. The budget must be submitted to the legislative bodies of the City and County for approval by June 1 of each fiscal year. Memo with agenda. Resolution approving proposed budget. Estimated cost: \$358,800. To be paid from the Waste-To-Energy Trust Fund administered by Stanislaus County.)

ACTION: Res. 86-515 adopted approving proposed budget.  
(Utility Services to handle)

CONSENT

21. Consider request from the Youth Commission recommending the City Council support "Sober Graduation."  
(This public awareness campaign is initiated by the California Highway Patrol and is aimed at high school students. Memo with agenda. Resolution supporting "Sober Graduation" needed.)

ACTION: Res. 86-516 adopted supporting "Sober Graduation". (P/R to handle)

CONSENT

22. Consider designating Stanislaus County as the City's agent for service of process for taxpayer refund actions against the City under Tax and Revenue Code Division "Property Taxation."  
(Memo with agenda. Resolution designating County as City's agent needed.)

ACTION: Res. 86-517 adopted designating County as City's agent.  
(Attorney to handle)

CONSENT

23. Consider approval of application for funds under the Roberti-Z'berg-Harris Urban Open Space Recreation Program for restroom/utility building, lights and picnic units at Sipherd Neighborhood Park.  
(The City of Modesto is eligible for \$61,164 under this block grant for fiscal year 1985-86. A 25% local match is required under this grant program. This local match (\$20,388) has been budgeted. Staff recommends approval of application. Resolution authorizing filing of application needed.)

ACTION: Res. 86-518 adopted authorizing filing of application.  
(P/R to handle)

CONSENT

24. Consider request for sewer service to property outside City limits at 620 Inyo Avenue between Dallas Street and Mt. Oso Way. (Owners: Damacia and Eva Baca)  
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 86-519 adopted approving agreement. (Eng to handle)

CONSENT

25. Handicapped Barrier removal grants approved by Citizens Housing and Community Development Committee and recommended to the City Council  
(Memo with agenda. Resolution approving grants needed. Estimated cost: \$45,000; funds are budgeted.)

ACTION: Res. 86-520 adopted approving grants. (Planning to handle)

CONSENT

26. Resolution accepting Burroughs Corporation proposal for providing a Remittance Processing System and authorizing the City of Modesto to sign the required agreements.  
(Memo with agenda. Resolution accepting proposal and approving agreements needed. Estimated cost: \$110,228.88. Funds are budgeted.)

ACTION: Res. 86-521 adopted accepting proposal and approving agreements.  
(Finance to handle)

CONSENT

27. Consider approval of annual claim for Local Transportation Funds and State Transit Assistance 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 \$3,174,302. Resolution authorizing submission of Annual Transportation Claim needed.)

ACTION: Res. 86-522 adopted authorizing submission of Claim.  
(Finance to handle)

MISCELLANEOUS

28. Legislation: Staff recommends:

Opposing:

- a. AB 3199 (Katz) and AB 3692 (Elder) - Peace Officer Time Banks
- b. SB 547 (Alquist) - Earthquake Safety Planning - Unfunded Local Mandate

(Memos and attachments with agenda. Motion accepting staff recommendations needed.)

ACTION: By motion (McGrath/Whiteside, unan.) recommendations approved.  
(Manager to handle)

29. Appointments

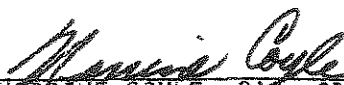
None

30. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

This meeting was adjourned at 12:57 a.m. to Wednesday, May 28, at 3:00 p.m. in the Council Chambers, City Hall, 801 11th Street to continue study of the budget.

ATTEST:   
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
May 28, 1986

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

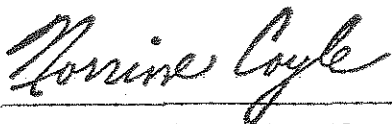
Present: Councilmembers Lang, McGrath, Muratore, Sutton, Whiteside,  
Mayor Mensinger  
(Councilmember Lang arrived at 4:00 p.m.)

Absent: Councilmember Patterson

The following budgets were reviewed:

Utility Services Department  
Administration  
Electrical  
Streets  
Street Cleaning  
Waste-to-Energy Project  
City Hall  
Water Division  
Sewerage Wastewater Collection  
Sewerage Wastewater Treatment Primary  
Sewerage Wastewater Treatment Secondary  
Sewerage Monitoring and Control  
Sewerage Treatment Plant Improvements Administration  
Industrial Waste Planning and Monitoring  
Airport  
Bus Maintenance  
Service Division - Main Shop  
Service Division - Police Shop  
Methane Gas Generation

The meeting was adjourned at 4:15 p.m. to Monday, June 2, 1986, at 3:00 p.m. in the Council Chambers.

ATTEST:   
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
June 2, 1986

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers Lang, McGrath, Sutton, Whiteside, and  
Mayor Mensinger  
(Councilmember McGrath arrived at 3:21 p.m.)

Absent: Councilmembers Muratore, Patterson

The following Capital Improvement Programs were discussed:

Planning and Community Development  
Community Housing Improvements  
Streets (Bicycle Lane Projects)

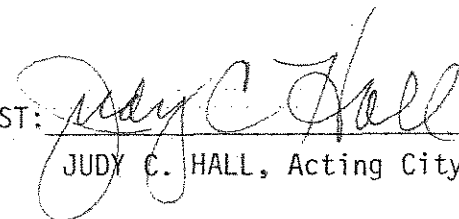
Parks and Recreation Department  
Parks and Recreation Land Acquisition and Development  
Other Facility Improvements  
Equipment Acquisitions

Fire Department  
Fire Facility Construction  
Other Facility Improvements  
Equipment Acquisitions

Engineering Services Department  
Storm Drains  
Streets  
Street Lights  
Downtown Area Improvements  
Equipment Acquisitions

The meeting was adjourned at 4:56 p.m.

ATTEST:

  
JUDY C. HALL, Acting City Clerk



# MODESTO CITY COUNCIL

MINUTES AND ACTION AGENDA  
AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 3, 1986, AT 4:00 P.M.

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

Absent: Councilmember Muratore  
(Councilmember Lang arrived at 4:10 p.m.)

Pledge of Allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 4, 9, 10, 12, 13, 14,  
15, 17, 18, 21, 22, 23, 29, 31, 32,  
33, 34, 35, 36

Dropped from agenda: 25

Removed from consent: 6, 24, 26, 27, 28, 30

ACTION: (Whiteside/Sutton, unan., Land and Muratore absent)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of "Sousa Concert Plaque" by Len Russell, President of the Musicians Association, Local 6521AFM.

Len Russell and Dick Squires presented the plaque to the City to be placed in Mancini Bowl.

2. Presentation of "Plaques of Appreciation" to City Council and Department of Parks and Recreation by Phil Moyer, President of the Modesto Girls' Softball Association.

Barry Wyatt presented plaques to Mayor Mensinger and to Mary Grogan.

MINUTES

CONSENT

3. Approval of the minutes of the May 22, 1986, adjourned regular City Council meeting, the May 27, 1986, regular City Council meeting, and the May 28, 1986, adjourned regular City Council meeting.  
(Motion approving needed.)

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

UNFINISHED BUSINESS

CONSENT

4. Final adoption of:
- a. Ord. No. 2423-C.S. authorizing an amendment to the contract between the City Council and the Board of Administration of the California Public Employees' Retirement System.
  - b. Ord. No. 2426-C.S. rezoning from R-1 and R-2 to P-D(402), property located north and south of Manor Oak Drive east of Oakdale Road.  
(Rule Development)  
(Continued from May 27, 1986, meeting.)

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

5. 1985 Urban Growth Policy Review recommendations from the Public Projects Committee.  
(Motions were made at the Council meeting of May 6, 1986, to accept the 1985 Urban Growth Policy Review and direct formation of a Schools Advisory Committee. The Committee concludes that there is a need to initiate two sewer trunk extensions at this time: that the Lakewood trunk from Briggsmore to Floyd and the Sonoma trunk from Floyd to Sylvan be placed on the November, 1986, ballot for an advisory vote contingent on resolution of the school financing issue. The Committee also recommends reconsideration of the College West Neighborhood for industrial uses and a revised trunk sewer priority list. Memo with agenda. Motion approving recommendations of the Public Projects Committee needed.)

ACTION: By motion (Sutton/Lang, unan., Muratore absent) receipt of report was acknowledged; the revised sewer trunk priority list was approved; the first two sewer trunks on the list, Lakewood and Sonoma, were approved to be placed on the ballot in November; that no action be taken on the College West Neighborhood pending a Cal Trans report; and that the previously appointed Schools Advisory Committee members be permitted to select their own alternates.  
(Planning to handle)

6. Consider approving the amended agreement with Crosby, Thornton, Marshall, Booker, Lawlor, Architects, to complete the final plans and specifications for the terminal expansion project at the airport and approve the transfer of \$23,000 from Contingency Reserve to the Passenger Terminal Account to cover the increased cost.  
(The original cost for plans and specifications was \$65,000 three years ago. Since that time, it has increased to \$73,000 plus \$15,000 for the interior design which was not included in the original study. Memo with agenda. Resolution approving amended agreement needed, and resolution approving appropriation transfer needed.)

ACTION: Res. 86-523 adopted (Whiteside/Lang, unan., Muratore absent) approving amended agreement.

Res. 86-524 adopted (same vote) approving appropriation transfer.  
(Utility Services to handle)

- 6a. Presentation by Douglas Barker of Hall, Goodhue, Haisley and Barker of material and color samples for Community Center.  
(Mr. Barker will review his selections with the Council and then the samples will be on display at City Hall through June 10. On the 10th, Council will be asked to approve the selections.)

ACTION: No action taken

There was a five minute recess at 6:50 p.m.

#### HEARINGS

7. Hearing to consider appeal of Mid-Valley Engineering on behalf of Allen Grant, to a Planning Commission decision regarding vesting tentative subdivision map of Walnut Woods East and rezoning from R-2 to R-1, property south of Merle Avenue and west of Roselle Avenue extended.

ACTION: By motion (Lang/Patterson, unan., Muratore absent) Ord. No. 2430-C.S. introduced.  
Res. 86-525 adopted (same vote) approving vesting tentative subdivision map.  
Res. 86-526 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

8. Hearing to consider an amendment to Section Map 22-3-9 to rezone from R-3 to P-D(405), to allow a senior citizen housing development on property located on the east side of Santa Paula Drive, north of East Orangeburg Avenue. (Westvail, Inc.)

ACTION: By motion (Patterson/Whiteside, unan., Muratore absent) Ord. No. 2431-C.S. introduced.  
Res. 86-527 adopted approving plan.  
Res. 86-528 adopted (same vote) certifying review of Environmental Assessment.

#### BIDS

##### CONSENT

9. Consider approving bid/contract documents and authorizing a call for bids for Intracity Transit operation contract.  
(Memo with agenda. The current Intracity Transit contract expires October 31, 1986. The new contract will be for five years. Resolution approving the bidding and contract documents and calling for bids July 22, 1986, at 11:00 a.m. needed. Estimated cost: \$1,264,000. Funds are budgeted.)

ACTION: Res. 86-529 adopted calling for bids. (P/T to handle)

##### CONSENT

10. Authorize the purchase of the City's annual requirement of street name signs from Safe-T-Lite at the prices bid.  
(Memorandum with agenda. Resolution authorizing purchase from Safe-T-Lite needed. Estimated cost: \$11,304; funds are budgeted.)

ACTION: Res. 86-530 adopted authorizing purchase. (Finance to handle)

11. Consider acceptance of Lang's Enterprises' contract for the stairway replacement for Woodland Avenue lift station. (Original contract: \$11,859)  
(All work on this project has been completed to the satisfaction of the Engineering 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: \$12,456.10. Funds are budgeted.)  
(Councilmember McGrath will be excused due to a conflict of interest.)

ACTION: Res. 86-531 adopted (Patterson/Whiteside, unan., McGrath and Muratore absent) accepting work as complete. (Clerk to handle)

##### CONSENT

12. Consider acceptance of Bond Construction's contract for Semallon water line extension. (Original contract and final cost: \$21,876)  
(All work on this project has been completed to the satisfaction of the Engineering 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. Funds are budgeted.)

ACTION: Res. 86-532 adopted accepting work as complete. (Clerk to handle)

CONSENT

13. Consider extending deadline for removing City-owned house at 321 Neece Drive.  
(The Council, by Resolution No. 86-174, on February 4, 1986, accepted the bid of Mr. W. D. Camp for the purchase of the house at 321 Neece Drive. The purchaser needs an extension to remove the house. Memo with agenda. Resolution authorizing extension needed.)

ACTION: Res. 86-533 adopted authorizing extension.  
(Utility Services to handle)

CONSENT

14. Consider waiving formal bid procedures and authorize the purchase of one 1985 Dodge Diplomat through the State of California Department of General Services for the total price of \$11,037.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 86-534 adopted waiving formal bid procedures.  
(Finance to handle)

CONSENT

15. Consider waiving formal bid procedures and authorize the purchase of gas and diesel for the 1986-87 fiscal year from the source with the best available price or from any other source available in the event of restricted supplies.  
(Memorandum with agenda. Resolution waiving formal bid procedure and authorizing purchase needed. (Five affirmative votes needed.) Estimated cost: \$519,333; funds are budgeted.)

ACTION: Res. 86-535 adopted waiving formal bid procedure.  
(Finance to handle)

WRITTEN COMMUNICATIONS

16. Letter from Stanislaus County Economic Development Corporation regarding the initiation of a county-wide business retention and expansion program.

ACTION: By motion (Lang/Sutton, unan., Muratore absent) the Mayor was directed to write a letter of support.  
(Mgr to handle)

CONSENT

17. Letter from Downtown Improvement District requesting the use of sidewalks for a sale on Friday, Saturday and Sunday, June 13, 14 and 15.  
(Motion approving needed.)

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

CONSENT

18. Appeal of Mid-Valley Engineering, on behalf of John Williams, to a Planning Commission decision denying plot plan approval for a flag lot in the R-1 Zone and a vesting tentative parcel map, property located on the west side of College Avenue south of Woodman Way.  
(Resolution setting hearing July 1, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-536 adopted setting hearing. (Clerk to handle)

19. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

Ron Jourdenais asked some questions.

NEW BUSINESS

20. Consider adoption of an ordinance to permit sidewalk food vendors.  
(The Downtown Renaissance Committee recommends adoption of an ordinance to permit sidewalk food vendors and a resolution prescribing rules and regulations. Memorandum with agenda. Introduction of an ordinance permitting sidewalk food vendors, and resolution prescribing rules and regulations and resolution certifying review of Environmental Assessment needed.)

ACTION: By motion (Lang/Sutton, unan., Muratore absent) the concept was approved and staff directed to restudy the fee recommendations.  
(Manager to handle)

CONSENT

21. Consider approving agreement with Scenic Road Properties for the acquisition of a permanent bicycle easement near the intersection of Scenic Drive and Coffee Road.  
(Staff has negotiated an agreement with Scenic Road Properties to acquire a bicycle easement across their property. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-537 adopted approving agreement.  
(Utility Services to handle)

CONSENT

22. Consider approving appropriation transfer for \$100,000 from Contingency Reserve to Miscellaneous Right of Way.  
(Several new items have come up during this budget year which require additional money in this account. Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 86-538 adopted approving appropriation transfer.

(Finance to handle)

CONSENT

23. Consider adoption of an ordinance establishing simplified procedures for creating Public Facilities Benefit Assessment Areas.  
(Memorandum and proposed ordinance with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2432-C.S. introduced.

24. Consider proposed amendments of Section 12-4.202 of the Modesto Municipal Code relating to general regulations regarding park use.  
(Citizens complain about noise and other activities occurring during nighttime hours in City parks. It is necessary, in order to preserve the public peace, to close some parks earlier at night by designation of the City Manager. Adoption of an emergency ordinance needed.)

ACTION: By motion (Patterson/Lang, unan., Muratore absent) Ord. No. 2433-C.S. adopted. (Clerk to handle)

CONSENT

25. Consider authorizing City Manager to sign a storm drainage maintenance agreement with Stonebridge Associates.  
(Memorandum with agenda. Resolution approving agreement needed.)

Dropped from agenda.

26. Consider approval of the final map of the San Remo subdivision of the City of Modesto and authorize an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.  
(Subdividers: Hallmark Capital Investment III, Limited)  
(The subdivision agreement has been signed and all fees paid. San Remo is located south of Coralwood Drive, east of McHenry Avenue. It contains 6.518 acres. Resolution approving final map needed.)

ACTION: Res. 86-539 adopted (Lang/McGrath, unan., Muratore absent) approving final map. (Clerk to handle)

27. Consider approval of the final map of the San Remo East subdivision of the City of Modesto and authorize an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.  
(Subdividers: Hallmark Capital Investment III, Limited)  
(The subdivision agreement has been signed and all fees paid. San Remo is located south of Coralwood Drive, east of McHenry Avenue. It contains 8.114 acres. Resolution approving final map needed.)

ACTION: Res. 86-540 adopted (Lang/McGrath, unan., Muratore absent) approving final map. (Clerk to handle)

28. Consider approval of the final map of the San Remo West subdivision of the City of Modesto and authorize an agreement with the subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code.  
(Subdividers: Hallmark Capital Investment III, Limited)  
(The subdivision agreement has been signed and all fees paid. San Remo is located south of Coralwood Drive, east of McHenry Avenue. It contains 9.861 acres. Resolution approving final map needed.)

ACTION: Res. 86-541 adopted (Lang/McGrath, unan., Muratore absent) approving final map. (Clerk to handle)

CONSENT

29. Consider approving lease agreement with United Way for rental of Rooms 101, 102, 103 and 105 at the Modesto Community Service Center.  
(Staff and United Way have negotiated a new lease for the use of the Modesto Community Service Center. Staff recommends approval. Memo with agenda. Resolution approving lease agreement needed.)

ACTION: Res. 86-542 adopted approving lease agreement. (P/R to handle)

30. Consider approval of recommendation by the Culture Commission for the McHenry Mansion rental fees and policy.  
(The Culture Commission has reviewed the McHenry Mansion Rental Fees Committee's proposal for rental fees and policy for the Mansion. The Commission recommends the City Council approve these fees and policy. Memo with agenda. Resolution approving recommendation needed.)

ACTION: Res. 86-543 adopted (Lang/Muratore, majority, McGrath and Patterson - no, Muratore absent) recommendation approved.

There was a request that the Culture Commission consider whether or not non-profit groups should pay the same fees as cultural groups.  
(P/R to handle)

CONSENT

31. Consider approval of LAFCO Questionnaire, indicating no opposition to Roselawn-Rouse Reorganization to the City of Modesto.  
(Property owners on the south side of Rouse Avenue west of Roselawn Avenue have petitioned for annexation. The proposed uninhabited Reorganization would consist of two residential parcels totaling 4.83 acres and include an existing duplex and single-family home. Memo, map and questionnaire with agenda. Resolution responding favorably to proposed Reorganization needed.)

ACTION: Res. 86-544 adopted responding favorably to proposed Reorganization.

(Planning to handle)

CONSENT

32. Consider approval of LAFCO Questionnaire indicating no opposition to Kansas-Rosemore Reorganization to the City of Modesto.  
(Property owners on the northwest corner of Kansas and Rosemore Avenue have petitioned for annexation. The proposed uninhabited annexation would consist of one agricultural parcel totaling 14 acres and includes a single-family dwelling. Memo, map and questionnaire with agenda. Resolution responding favorably to proposed Reorganization needed.)

ACTION: Res. 86-545 adopted responding favorably to proposed Reorganization.  
(Planning to handle)

CONSENT

33. Consider approval of LAFCO questionnaire indicating no opposition to the Edgebrook No. 3 Reorganization to the City of Modesto.  
(Petitions and applications have been received from Mid-Valley Engineering on behalf of their client to annex a 23.22 acre County island between Encina Avenue and Dry Creek at Edgebrook Drive. Memo, map and questionnaire with agenda. Resolution responding favorably to proposed Reorganization needed.)

ACTION: Res. 86-546 adopted responding favorably to proposed Reorganization.  
(Planning to handle)

CONSENT

34. Consider approval of LAFCO questionnaire indicating no opposition to Yellowstone-Temperate No. 2 Reorganization to the City of Modesto.  
(Property owners on the west side of Yellowstone Avenue north of Torrid Avenue have petitioned for annexation. The proposed uninhabited Reorganization would consist of one agricultural parcel totaling 3.24 acres. Memo, map and questionnaire with agenda. Resolution responding favorably to proposed Reorganization needed.)

ACTION: Res. 86-547 adopted responding favorably to proposed Reorganization.  
(Planning)

CONSENT

35. Consider request for refund of \$1,020.99 for overpayment of Business License Tax by Mr. Steak Restaurant.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 86-548 adopted approving refund. (Finance to handle)

MISCELLANEOUS

CONSENT

36. Legislation - Staff recommends:

OPPOSE

- a. AB 2907 and AB 2908 (Ferguson) - Housing: Planning and Zoning;  
Residential Development: Water and Sewer Capacity

- b. AB 3820 (Costa) - Mandatory Reimbursement Agreements
- c. AB 4277 (Ferguson) - Accounting for Fees
- d. AB 4343 (Chacon) - "Granny Flats" Expansion of Preemptive Provisions for Second Units
- e. SB 2284 (Campbell) - Solid Waste Buffer Zone

(Memos and attachments with agenda. Motion accepting staff recommendations needed.)

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

37. Appointments

None

38. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 8:35 p.m. to Wednesday, June 4, 1986, at 3:00 p.m. in the Council Chambers, City Hall, 801 11th Street, Modesto, California to review the proposed Capital Improvement Program.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers McGrath, Patterson, Sutton, Whiteside,  
Mayor Mensinger  
(Councilmember Whiteside arrived at 4:45 p.m.)

Absent: Councilmembers Lang, Muratore

The following Capital Improvement Programs were discussed:

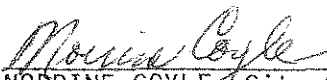
Parking and Traffic Department  
Traffic Signals and Other Controls  
Parking Facility Development  
Bus Service Facilities and Equipment

Utility Services Department  
Water Utility Development  
Sewer Lines and Treatment Facility  
Storm Drains  
Airport Development  
Other Facility Improvements  
Equipment Acquisitions

Police Department  
Police Facility Construction  
Equipment Acquisitions

Finance Department  
Equipment Acquisitions

The meeting adjourned at 5:02 p.m. to June 10, 1986, at 5:30 p.m. in the City Hall Fourth Floor Conference Room for a closed session concerning an employee relations matter.

ATTEST:   
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 10, 1986, AT 7:30 P.M.

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

Absent: Lang

Pledge of Allegiance to the Flag

Invocation: Rev. Rick Johnson, Chaplain, Juvenile Hall, from the Pacific Youth Correctional Ministries

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, 24, 27, 28, 29, 30, 31, 32, 33, 34, 37, 38

Dropped from agenda: 22

ACTION: (Sutton/Whiteside, unan., Lang absent)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

### MINUTES

#### CONSENT

2. Approval of the minutes of the June 2, 1986, adjourned regular City Council meeting, the June 3, 1986, regular City Council meeting, and the June 4, 1986, adjourned regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

### UNFINISHED BUSINESS

3. Further consideration of new golf rates.  
(Memo with agenda. Resolution establishing new fee schedule needed.)

ACTION: Res. 86-549 adopted (Whiteside/Muratore, unan., Lang absent) the report and rates as proposed by the Parks and Recreation director and golfers were approved. (P/R and Finance to handle)

4. Consider accepting the final report of the Regional Airport Study and direct staff to implement the recommendations found therein.  
(Memo with agenda. Resolution accepting final report needed.)

ACTION: Res. 86-550 adopted (Muratore/Patterson, unan., Lang absent) accepting report and directing staff to implement recommendations. (Utility Services to handle)

### CONSENT

5. Final adoption of:

- a. Ord. No. 2428-C.S. rezoning from R-2, R-3, and C-3 to P-D(403), property located on the northeast side of Sisk Road, west of Prescott. (Central Valley Plaza)
- b. Ord. No. 2429-C.S. rezoning from R-1 to P-D(404), property located between Salida Boulevard and Freeway 99, south of Pelandale. (Integrated Development)
- c. Ord. No. 2431-C.S. rezoning from R-3 to P-D(405), property located on the east side of Santa Paula Drive north of East Orangeburg Avenue. (Westvail, Inc.)
- d. Ord. No. 2432-C.S. adding Article 8 to Chapter 1 of Title VII of the Modesto Municipal Code relating to the designation of areas of benefit to be assessed for the cost of public facilities.

(Motion adopting needed.)

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

### HEARINGS

6. Continued hearing to consider the appeal of Hart-Ransom Union Elementary School District to a Planning Commission decision regarding the tentative subdivision map of Piedmont Glen subdivision.

Appeal withdrawn by Hart-Ransom Union Elementary School District.  
No action taken.

7. Hearing to consider the 1986-87 Proposed Budget, the 1986-87 through 1989-90 Capital Improvement Program, and the Revenue Sharing Program.

Michal Garcia and Gordon Hart spoke. No action taken.

8. Hearing to reconsider the proposed closure of North Morton Boulevard between Jennie Street and new State Highway 132.

ACTION: By motion (Muratore/Sutton, unan., Lang absent) Council declared its intention to elbow N. Morton Blvd. into Jennie Street and to put a signal at the Yosemite-S. Morton "T" intersection.  
(Planning to handle)

There was a 5 minute recess at 10:30 p.m.

9. Hearing regarding Federal Transit Operating Grant for Fiscal Year 1986-87.

ACTION: Res. 86-551 adopted (Whiteside/McGrath, unan., Lang absent) approving application.  
(P/T to handle)

#### BIDS

##### CONSENT

10. Consider approval of plans and specifications and call for bids for surfacing at Muncy Park, West Side Park and John Thurman Field.  
(Suggested bid opening: June 24, 1986, at 11:15 a.m. This project consists of installation of surfacing for basketball courts at Muncy Park and West Side Park and the resurfacing of the walkways at John Thurman Field. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$27,500 (contract \$25,000; engineering & cont. \$2,500; funds are budgeted.)

ACTION: Res. 86-552 adopted calling for bids. (Eng to handle)

##### CONSENT

11. Consider approval of plans and specifications and call for bids for Project No. 16 - replacement of curbs, drive aprons and sidewalks at various locations.  
(Suggested bid opening: June 24, 1986, at 11:05 a.m. This project is necessary to restore proper drainage to curb damaged by street tree roots. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$31,969 (construction \$29,063; engineering & cont. \$2,906; funds are budgeted.)

ACTION: Res. 86-553 adopted calling for bids. (Eng to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for installation of waterline and subtrunk sewer in Ironside Avenue. (Suggested bid opening: June 24, 1986, at 11:10 a.m. This project consists of installation of subtrunk sewer and waterline to serve the new Cape Cod Estates subdivision. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$48,950 (contract \$44,045; engineering & cont. \$4,905); funds are budgeted.)

ACTION: Res. 86-554 adopted calling for bids. (Eng to handle)

CONSENT

13. Consider award of contract for the Morse Avenue waterline extension. (Bids were opened on June 3, 1986. The low bid of \$15,840, submitted by Bond Construction, is 17.93% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Bond Construction. Memo and bid tabulation with agenda. Resolution awarding contract to Bond Construction. Funds are budgeted.)

ACTION: Res. 86-555 adopted awarding contract. (Eng to handle)

CONSENT

14. Consider award of contract for the waterline extension on Fara Biundo Avenue. (Bids were opened on May 27, 1986. The low bid of \$15,800, submitted by Strata Construction, is 23.92% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to Strata Construction. Memo and bid tabulation with agenda. Resolution awarding contract to Strata Construction needed. Funds are budgeted.)

ACTION: Res. 86-556 adopted awarding contract. (Eng to handle)

CONSENT

15. Consider award of contract for Fairway Park soccer field lighting. (Bids were opened on May 27, 1986. The low bid of \$78,000, submitted by Richard A. Heaps Electric, is 41.66% 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 to Richard A. Heaps Electric needed. Funds are budgeted.)

ACTION: Res. 86-557 adopted awarding contract. (Eng to handle)

CONSENT

16. Consider award of contract for East La Loma Park tennis courts lighting. (Bids were opened on May 27, 1986. The low bid of \$16,307.14, submitted by Industrial Electric, is 57.99% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Industrial Electric. Memo and bid tabulation with agenda. Resolution awarding contract to Industrial Electric needed. Funds are budgeted.)

ACTION: Res. 86-558 adopted awarding contract. (Eng to handle)

CONSENT

17. Consider declaring three low bidders on rock, sand and gravel products and authorizing the purchase of these products for the 1986-87 fiscal year at the respective prices bid. (Memorandum with agenda. Resolution declaring Genstar low bidder on Item 1; Central Ready Mix low bidder on Items 2, 3, 4, 5 and 6; and M. J. Ruddy low bidder on Items 7 and 8 and authorizing purchase needed. Estimated cost: \$26,000. Funds are budgeted.)

ACTION: Res. 86-559 adopted awarding contracts. (Finance to handle)

CONSENT

18. Consider authorizing the purchase of concrete products from Turlock Concrete Pipe, Inc. at the prices bid. (Memorandum with agenda. Resolution authorizing purchase of concrete products from Turlock Concrete Pipe, Inc. needed. Estimated cost: \$15,000; funds are budgeted.)

ACTION: Res. 86-560 adopted awarding contract. (Finance to handle)

CONSENT

19. Consider declaring Modesto Building Maintenance overall low bidder for janitorial services at American Legion Hall for the fiscal year beginning July 1, 1986 to June 30, 1987. (Memorandum with agenda. Resolution awarding contract to Modesto Building Maintenance needed. Estimated cost: \$20,000; funds are budgeted.)

ACTION: Res. 86-561 adopted awarding contract. (Finance to handle)

CONSENT

20. Consider authorizing the purchase of liquid chlorine for the fiscal year beginning July 1, 1986 to June 30, 1987 for the price bid of \$290 per ton from All Pure Chemical Co. (Memorandum with agenda. Resolution authorizing the purchase of liquid chlorine from All Pure Chemical Company needed. Estimated cost: \$248,902; funds are budgeted.)

ACTION: Res. 86-562 adopted awarding contract. (Finance to handle)

CONSENT

21. Consider declaring United States Testing Company, Inc. low bidder and authorize the purchase of compaction, aggregate and concrete testing services from the firm.  
(Memorandum with agenda. Resolution authorizing purchase of compaction, aggregate and concrete testing services from United States Testing Company, Inc. needed. Estimated cost: \$5,900; funds are budgeted.)

ACTION: Res. 86-563 adopted awarding contract. (Finance to handle)

CONSENT

22. Consider acceptance of Smartt Construction's contract for Scenic Drive curb, gutter and sidewalk. Original contract: \$30,908.20  
(All work on this project has been completed to the satisfaction of the Engineering 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: \$34,991.64; funds are budgeted.)

Dropped from agenda

CONSENT

23. Consider acceptance of Howell Construction's contract for the replacement of the American Legion Hall ceiling. Original contract: \$45,969  
(All work on this project has been completed to the satisfaction of the Engineering 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: \$28,504; funds are budgeted.)

ACTION: Res. 86-564 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

24. Resignation of Gilbert Sturgis from Planning Commission.  
(Resolution accepting resignation with regret needed.)

ACTION: Res. 86-565 adopted accepting resignation. (Clerk to handle)

25. MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Ron Jourdenais spoke.

NEW BUSINESS

26. Consider authorizing Mayor Mensinger to transmit letter to Department of Transportation at their request, stating the City's feelings regarding the retention of Los Angeles as our essential air service point, even without federal subsidy.  
(Memo with agenda. Motion authorizing Mayor's signature needed.)

ACTION: By motion (Muratore/Sutton, unan., Lang absent) Mayor Mensinger authorized to send letter. (Manager to handle)

CONSENT

27. Consider approving the "Airport Policy for the Movie Industry" and an ordinance amending Section 7-3.106 of the Modesto Municipal Code relating to Airport Use Regulations.  
(Memo with agenda. Resolution approving policy and motion introducing ordinance needed.)

ACTION: By motion, Ord. No. 2434-C.S. introduced.  
Res. 86-566 adopted approving policy. (Utility Serv/Clerk to handle)

CONSENT

28. Consider excusing Councilmember Muratore for being absent from the June 3, 1986, City Council meeting due to his attendance at a conference as a representative of the Stanislaus Area Association of Governments.  
(Motion excusing absence needed.)

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

CONSENT

29. Consider approving a hold harmless agreement with the County of Stanislaus.  
(Memo with agenda. Resolution approving hold harmless agreement needed.)

ACTION: Res. 86-567 adopted approving agreement. (Police to handle)

CONSENT

30. Consider request for sewer service to property located outside City limits at 2209 Ada Street, located on the north side of Ada Street between El Vista Avenue and Colfax Avenue. Owner: Stephen Dennis Bridges.  
(The property owner has signed an agreement to annex when requested to do so by City. The property is not contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 86-568 adopted approving agreement. (Eng. to handle)

CONSENT

31. Consider request for sewer service to property outside City limits at 317 Glacier Avenue, located on the north side of Glacier Avenue between Crystal Avenue and Cascade Avenue. Owners: Virgil K. and Mary C. Rushed. (The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous to the City limits and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 86-569 adopted approving agreement. (Eng to handle)

CONSENT

32. Consider approval of final map of Westwood Estates 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: G. M. Winchell & Sons. (The subdivision agreement has been signed and all fees paid. Westwood Estates is located at the southeast corner of Woodland Avenue and Morse Road. It contains 11.675 acres. Resolution approving final map needed.)

ACTION: Res. 86-570 adopted approving final map. (Clerk to handle)

CONSENT

33. Consider approval of the final map of Regency Park No. 3 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: Marvin G. Dole, Joseph D. Trombetta, and Beuzekom Beheer, B.V. (The subdivision agreement has been signed and all fees paid. Regency Park No. 3 is located between Regency Park Drive and Veneman Avenue North, and North of MID Lateral No. 7. It contains 10.175 acres. Resolution approving final map needed.)

ACTION: Res. 86-571 adopted approving final map. (Clerk to handle)

CONSENT

34. Consider approving agreement with Franco Construction, Inc. for street improvements on Standiford Avenue, adjacent to Olympic Village subdivision. (Olympic Village subdivision is located on the south side of Standiford Avenue at Shawnee Drive. The owner has requested permission to install street improvements on Standiford to reduce time delays. An agreement is needed to allow reimbursement for construction costs. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$21,700; funds are budgeted.)

ACTION: Res. 86-572 adopted approving agreement. (Eng to handle)

35. Report on Community Center Hotel proposals. (A report comparing the two proposals will be made at the meeting.)

This item held until the end of the meeting.  
Mayor Mensinger excused due to a conflict of interest.  
No action taken.

36. Proposed mission statement for Modesto Community Center.  
(Staff is recommending a proposed mission statement for the Modesto Community Center. Memo with agenda. Motion approving Community Center mission statement needed.)

ACTION: By motion (Sutton/Muratore, majority, McGrath and Patterson-no, Lang absent) mission statement approved. (P/R to handle)

CONSENT

37. Proposals to provide financial assistance to Modesto Band of Stanislaus County for Thursday night band concerts.  
(Staff is recommending Council approval allocating \$3,618.25 to the Modesto Band of Stanislaus County so they can obtain insurance for their Thursday night band concerts. Memo with agenda. Resolution authorizing payment needed. Funds are budgeted.)

ACTION: Res. 86-573 adopted authorizing payment. (Atty to handle)

MISCELLANEOUS

CONSENT

38. Legislation: Staff recommends:

OPPOSE

- a. AB 4146 (Moore) - Alcoholic Beverages: Limitation On City Regulatory Powers Over Gas Stations That Sell Beer and Wine
- b. SB 2522 (Maddy) and AB 3858 (Calderon) - Alcoholic Beverages: Local Regulations of Off-Sale Beer and Wine Retailers Precluded

SUPPORT

- c. AB 2313 (Hill) - Limitations on Types of Lottery Games
- d. AB 4300 (Seamstrand) and AB 4400 (Lancaster) - Tort Reform Bills

SUPPORT ASSEMBLY APPROACH

- e. Cleanup of Leaking Underground Storage Tanks  
(Motion accepting staff recommendations needed.)

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

39. Appointments

ACTION: Res. 86-574 adopted (Whiteside/McGrath, unan., Lang absent) reappointing Ken Savage to the Culture Commission.

(Clerk to handle)

40.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

ACTION: By motion (Whiteside/Sutton, unan., Lang absent) Council declared its intention to continue the hearing concerning Memorial Hospital Association's heliport from June 17, to June 24, 1986, at 7:30 p.m.  
(Clerk to handle)

ADJOURNMENT

The meeting adjourned at 11:40 p.m. to June 11, 1986, at 3:00 p.m. in the Council Chambers for a budget review session.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
June 11, 1986,

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

Present: Councilmembers McGrath, Muratore, Patterson, Sutton,  
Whiteside, Mayor Mensinger

Absent: Councilmember Lang

There was a discussion about allocations to various groups requesting funds.

The meeting was adjourned at 5:00 p.m. to Monday, June 16, 1986, at 4:00 p.m. in the Council Chambers.

ATTEST:

  
NORRINE COYLE, City Clerk

The Council of the City of Modesto met pursuant to adjournment at 4:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California

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

Absent: Mayor Mensinger

The operating budget and capital improvement program were discussed and finalized.

By motion (Muratore/Sutton, majority, Patterson no, Mensinger absent) the Neighborhood Youth Program was approved if a grant is received, with the cost to the City and school districts to be reduced by the amount of the grant.

By motion (Lang/McGrath, unan., Mensinger absent) staff was directed to prepare a report on possible ways and costs of expanding the City's traffic engineering capacity. (City Manager to handle)

By motion (Patterson/McGrath, unan., Mensinger absent) staff recommendation concerning the fire drill training tower project was approved.

By motion (McGrath/Lang, unan., Mensinger absent) staff recommendation concerning the police building was approved.

By motion (Lang/Muratore, unan., Mensinger absent) staff recommendation concerning an airport restaurant was approved and staff directed to look at conversion possibilities.

Councilmember Lang was excused at 5:15 p.m.

There was a request for budget information in chart or graph form, and a request that a letter of appreciation be sent to the Planning Commission and department heads.

The meeting adjourned at 5:50 p.m. to Tuesday, June 17, 1986, at 2:00 p.m. at Fire Station No. 4, 1505 Blue Gum Avenue.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
June 17, 1986

The meeting of the City Council was called to order at  
2:00 p.m. at Fire Station No. 4 Training Center, 1505 Blue Gum  
Avenue, Modesto, California.

Present: Councilmember Whiteside

Absent: Councilmembers Lang, McGrath, Muratore, Patterson,  
Sutton, Mayor Mensinger

There being a lack of a quorum, the meeting was adjourned.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 17, 1986, AT 4:00 P.M.

Roll Call - Present: Councilmembers Lang, McGrath, Muratore, Patterson,  
Sutton, Acting Mayor Whiteside  
Councilmember McGrath arrived at 4:03 p.m.

Absent: Mayor Mensinger

Pledge of Allegiance to the Flag

Invocation: Gerritt Hubers, President, Modesto Unit of Gideons International

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 9, 10, 11, 12, 13,  
14, 17, 20, 21, 22, 23, 24, 25, 26,  
27, 29, 30

Removed from Consent: 5, 28

ACTION: (Lang/Sutton, unan., Mayor Mensinger absent)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

## MINUTES

### CONSENT

2. Approval of the minutes of the June 10, 1986, regular City Council meeting and the June 11, 1986, adjourned regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

### UNFINISHED BUSINESS

3. Review of factors impacting school facilities.  
(Oral report at meeting.)

A report was made by Dr. Bob Otto, Superintendent, Modesto City Schools District.

4. Report on Community Center.  
(A report comparing the two proposals will be made at the meeting.)

ACTION: Res. 86-575 adopted (Lang/Muratore, majority, McGrath and Patterson-no, Mayor Mensinger absent) setting joint hearing on disposition and development agreement between City of Modesto and Civic Center Hotel Associates (Allen Grant) for July 8, 1986, at 7:30 p.m. (Clerk to handle)

5. Final adoption of:

- a. Ord. No. 2430-C.S. granting the appeal of Allen Grant to a decision of the Planning Commission relating to rezoning from R-2 to R-1, property located on the south side of Merle Avenue, west of Roselle Avenue, extended.
- b. Ord. No. 2434-C.S. amending Section 6-3.106 of Chapter 3 of Title VII of the Modesto Municipal Code relating to airport use regulations.

(Motion adopting needed.)

Councilmember Muratore excused because he was absent when the ordinances were introduced.

ACTION: By motion (Lang/McGrath, unan., Muratore and Mayor Mensinger absent) ordinances adopted. (Clerk to handle)

### HEARINGS

6. Hearing to consider appeal of Mid-Valley Engineering, on behalf of Memorial Hospital Association, to a Planning Commission decision regarding an amendment to P-D(73) to allow a new heli-port location on the east side of Coffee Road north of Briggsmore Avenue.  
(At the meeting of June 10, 1986, the City Council indicated its intention to continue this hearing to June 24, 1986, at 7:30 p.m.)

ACTION: By motion (Sutton/Lang, unan., Mayor Mensinger absent) hearing continued to June 24, 1986, at 7:30 p.m. (Clerk to handle)

BIDS

CONSENT

7. Consider approval of plans and specifications and call for bids for T-hangar handicap restrooms and remodeling of Airport administration building for handicap access.  
(Suggested bid opening: July 8, 1986, at 11:00 a.m. This project will provide restrooms accessible to the handicapped in the T-hangar area of the Airport and remodel the restroom in the administration building to also make it accessible to the handicapped. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$24,700.88 (contract \$21,476.25; engineering & cont. \$3,224.63). Funds are budgeted.)

ACTION: Res. 86-576 adopted calling for bids. (Eng to handle)

CONSENT

8. Consider award of contract for the Woodland Avenue water line extension from Morse Avenue to Blue Gum Avenue.  
(Consider award of contract for the Woodland Avenue water line extension from Morse Avenue to Blue Gum Avenue. Memo and bid tabulation with agenda. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Estimated cost: \$64,973. Funds are budgeted.)

ACTION: Res. 86-577 adopted awarding contract. (Eng to handle)

CONSENT

9. Consider award of contract for the Floyd Avenue water line extension.  
(Memo and bid tabulation with agenda. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Estimated cost: \$12,871. Funds are budgeted.)

ACTION: Res. 86-578 adopted awarding contract. (Eng to handle)

CONSENT

10. Consider award of contract for the reconstruction of Emerald from Maze Boulevard to Kansas Avenue and miscellaneous overlays.  
(Memo and bid tabulation with agenda. Resolution awarding contract to Teichert Construction needed. Estimated cost \$721,336.90. Funds are budgeted.)

ACTION: Res. 86-579 adopted awarding contract. (Eng to handle)

CONSENT

11. Consider acceptance of Smartt Construction's contract for Project No. 4 - commercial alley paving. (Original contract: \$75,780)  
(All work on this project has been completed to the satisfaction of the Engineering 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: \$101,988.06. Funds are budgeted.)

ACTION: Res. 86-580 adopted accepting as complete. (Clerk to handle)

CONSENT

12. Consider declaring Crystal Pool Service low bidder for furnishing swimming pool chlorine and muratic acid.  
(Memorandum with agenda. Resolution declaring Crystal Pool Service low bidder and authorizing purchase needed. Estimated cost: \$7,285. Funds are budgeted.)

ACTION: Res. 86-581 adopted authorizing purchase. (Finanance to handle)

CONSENT

13. Consider declaring Wesco overall low bidder and authorize the purchase of annual dry-cell battery requirements from them at the prices listed.  
(Memorandum with agenda. Resolution declaring Wesco low bidder and authorizing purchase needed. Estimated cost - City portion: \$2,700. Funds are budgeted.)

ACTION: Res. 86-582 adopted authorizing purchase. (Finance to handle)

CONSENT

14. Consider authorizing the City Manager to accept the written proposal of the Modesto Bee to print and publish the official legal advertising for one year beginning July 1, 1986 and ending June 30, 1987.  
(Memorandum with agenda. Resolution accepting proposal needed. Estimkated cost: \$17,000. Funds are budgeted.)

ACTION: Res. 86-583 adopted accepting proposal. (Finance to handle)

WRITTEN COMMUNICATIONS

15. Application of Balloons Over the Valley for direct City assistance for a hot air balloon fund-raising event and request to lower insurance requirement to \$1,000,000.  
(Motion referring to staff for recommendation needed.)

ACTION: By motion (Muratore/Lang, unan., Mayor Mensinger absent) request referred to staff for recommendation. (Manager to handle)

16. Request of Mid-Valley Engineering for clarification of City Council decision regarding the Traffic Signal Policy.

ACTION: By order of the Chair, this matter was referred to the Public Projects Committee and will be placed on the agenda for the joint City Council/Planning Commission meeting. (Mgr to handle)

CONSENT

17. Appeal of Mid-Valley Engineering, on behalf of Alvin Johnson, to a Planning Commission decision concerning a parcel map, property located at Ginger and Crocus Streets, off of Union.  
(Resolution setting hearing July 15, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-584 adopted setting hearing. (Clerk to handle)

18.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Acting Mayor Whiteside requested Councilmember Patterson sit as Mayor pro tem for the La Loma signal discussion, and she was excused due to a conflict of interest.

William Lamb spoke about his concerns with the proposed metering light on La Loma.

Dave Kamrar requested information concerning the City's use of Concrete and asbestos water pipe. (Eng to handle)

NEW BUSINESS

19. Authorization for a trial sidewalk program - Airport Neighborhood. (Memo with agenda. Curb, gutter and sidewalk are proposed along Monterey Avenue to the Orville Wright Elementary School. Motion directing staff needed.)

ACTION: By motion (Lang/Sutton, unan., Mayor Mensinger absent) directed staff to poll the neighborhood to determine whether or not there is an interest in installing curb, gutter, and sidewalk in this area. (Eng to handle)

CONSENT

20. Consider acceptance of State funds for restroom/utility building, security lighting and picnic units at Sipherd Park. (The State has approved the City's grant application under the Roberti-Z'berg Urban Open Space Program. Memo with agenda. Resolution accepting grant funds needed.)

ACTION: Res. 86-585 adopted accepting grant funds. (P/R to handle)

CONSENT

21. Consider authorizing City Manager to execute hold harmless agreements with private property owners for crime prevention displays and presentations when necessary. (Memo with agenda. Resolution authorizing City Manager to execute hold harmless agreements needed.)

ACTION: Res. 86-586 adoted approving agreements. (Police to handle)

CONSENT

22. Consider abandonment of 5.00 feet of the 10.00 foot wide public utility easement in Block 13661 of the City of Modesto. (Memo with agenda. Resolution vacating and abandoning 5.00 feet of the 10.00 foot public utility easement in Block 13661 needed.)

ACTION: Res. 86-587 adopted abandoning easement. (Eng to handle)

CONSENT

23. Consider approval of the final map of Bluff Creek Estates 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.  
(Subdivider: Jack D. Horn)  
(The subdivision agreement has been signed and all fees paid. Bluff Creek Estates is located south of East Orangeburg Avenue and west of the A.T. & S.F. Railroad right of way. It contains 19.419 acres. Resolution approving final map needed.)

ACTION: Res. 86-588 adopted approving final map. (Clerk to handle)

CONSENT

24. Consider approval of the final map and acceptance of improvements in Naraghi Lakes No. 2 subdivision and authorize City Clerk to file Notice of Completion. (Owners: U.S. By-Products, Inc., Sharon Davis Grich, and Hashem Naraghi.)

ACTION: Res. 86-589 adopted approving final map. (Clerk to handle)

CONSENT

25. Amend the Position Classification Plan and salary resolution to do the following:

Delete

- a. Administrative Analyst
- b. Administrative Assistant
- c. Principal Management Analyst

Add

- d. Administrative Analyst I
- e. Administrative Analyst II
- f. Administrative Clerk - Police
- g. Management Analyst

Revise

- h. Executive Secretary
  - i. Secretary
- (Memorandum with agenda. Resolution amending Position Classification Plan needed, and resolution amending Alphabetical Listing of Classifications in the salary resolution needed.)

ACTION: Res. 86-590 adopted amending Position Classification Plan.  
Res. 86-591 adopted amending Salary Schedule. (Mgr to handle)

CONSENT

26. Monthly Treasurer's Report for May, 1986.  
(Copies of the report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

27. Request for refund of \$765.68 for overpayment of Business License Tax by Adjustco.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 86-592 adopted approving refund. (Finance to handle)

28. Consider authorizing Finance staff to make arrangements with California Cities Financing Corporation for the issuance of Certificates of Participation to finance equipment items totaling \$543,940.

ACTION: By motion (Lang/Sutton, unan., Mayor Mensinger absent) staff authorized to make arrangements with California Cities Financing Corp. for issuing Certificate of Participation to finance equipment.  
(Finance to handle)

CONSENT

29. Consider adopting the Revised City of Modesto Records Management and Retention Manual.  
(The City's Records Management Manual and Retention Schedule has been reviewed and updated, with input from representatives of each department and is now ready for Council adoption. Copy with agenda. Resolution adopting Revised Records Management and Retention Manual needed.)

ACTION: Res. 86-593 adopted adopting the Manual. (Finance to handle)

MISCELLANEOUS

CONSENT

30. Legislation:

Staff recommends supporting AB 3228 (Costa) - City and County Street and Road Funding.  
(Memos and attachments with agenda. Motion accepting staff recommendation needed.)

ACTION: By motion, recommendation approved.

31. Appointments

None

32. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

None

33. CLOSED SESSION  
(Closed session to consider employee relations.)

ADJOURNMENT

Meeting adjourned to closed session at 6:38 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

Special Meeting  
Modesto City Council  
June 24, 1986

The Council of the City of Modesto met at 6:00 p.m. in the Council Chambers of City Hall, 801 Eleventh Street, Modesto, California.

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

(Councilmember Patterson arrived at 6:10 p.m.)

(Councilmember Muratore arrived at 6:25 p.m.)

Absent: Mayor Mensinger

The Councilmembers met in closed session to consider employee relations.

The meeting adjourned at 7:25 p.m.

ATTEST:



NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JUNE 24, 1986, AT 7:30 P.M.

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

Absent: Mayor Mensinger

Pledge of Allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 7, 8, 9, 10, 11, 12,  
Removed from consent: 15 16, 17, 18, 20, 21, 22, 23, 23A, 24  
Dropped from Agenda: 6  
ACTION: (Lang/Sutton, unan., Mayor Mensinger absent)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

### MINUTES

#### CONSENT

2. Approval of the minutes of the June 16, 1986, adjourned regular City Council meeting and the June 17, 1986, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

### HEARINGS

3. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of P & R Enterprises, to a Planning Commission decision regarding vesting tentative subdivision map of Carpenter Villas and rezoning, property located north of Houser Lane, east of Wilma Drive.

ACTION: Res. 86-594 adopted (Lang/Patterson, majority, Whiteside-no, Mayor Mensinger absent) granting appeal and approving vesting tentative map.  
By motion (same vote) Ord. No. 2435-C.S. introduced.  
Res. 86-595 adopted (same vote) granting appeal and setting conditions.  
Res. 86-596 adopted (same vote) certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

4. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Memorial Hospital Association, to a Planning Commission decision regarding a condition of approval of an amendment to P-D(73) to add a heliport facility, property located on the east side of Coffee Road, north of Briggsmore Avenue.

ACTION: Res. 86-597 adopted (Lang/Muratore, unan., Mayor Mensinger absent) granting the appeal and removing the condition concerning traffic signals and certifying the Environmental Assessment. (Clerk/Planning to handle)  
(Prior to the opening of the following hearing, the meeting of the Redevelopment Agency convened in order that this hearing and the identical one on the Redevelopment Agency agency conducted concurrently.)

5. Joint Council/Redevelopment Agency hearing to consider the proposed lease and development of land pursuant to a proposed disposition and development agreement with Civic Plaza Hotel Associates.

ACTION: By motion (Lang/Sutton, majority, McGrath and Patterson-no, Mayor Mensinger absent) the hearing was continued to July 8, 1986, at 7:30 p.m.  
(Clerk to handle)

### BIDS

#### CONSENT

6. Consider approval of plans and specifications and call for bids for relocation of the "Simms house".  
(Suggested bid opening: July 15, 1986, at 11:00 a.m. This project will move the "Simms House" approximately 1/4 mile northeast to its proposed location, which will conform to the master plan for McClure Park. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$42,102 (contract \$38,275; engineering \$3,827); funds are budgeted.)

Dropped from agenda

CONSENT

7. Consider approving specifications and authorize call for bids to be opened August 5, 1986, at 3:00 p.m. for furnishing discing services. (Requested by the Parks and Recreation Department, the discing services will be conducted at various sites throughout the City. Resolution approving specifications and call for bids needed. Estimated cost: \$15,000; funds are budgeted.)

ACTION: Res. 86-598 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider declaring Holsapple Brothers low bidder and authorize the purchase of sludge removal services for \$1.75 per cubic yard. (Memorandum with agenda. Resolution authorizing the purchase of sludge removal services from Holsapple Brothers needed.)

ACTION: Res. 86-599 adopted authorizing purchase. (Finance to handle)

CONSENT

9. Consider rejecting bids for furnishing annual large lamp requirements and authorize the purchase of large lamps from the California State Department of General Services for the period through April 28, 1987. (Memorandum with agenda. Resolution rejecting bids and authorizing the purchase from California State Department of General Services needed. Estimated cost (City portion): \$23,000. Funds are budgeted.)

ACTION: Res. 86-600 adopted rejecting bids and authorizing purchase. (Finance to handle)

CONSENT

10. Consider declaring Santa Rosa Fire Equipment, Inc. low bidder and authorize the purchase of emergency breathing equipment. (Memorandum with agenda. Resolution authorizing purchase from Santa Rosa Fire Equipment, Inc. needed. Estimated cost: \$8,667.50. Funds are budgeted.)

ACTION: Res. 86-601 adopted awarding bid. (Finance to handle)

CONSENT

11. Consider acknowledging the forfeiture of a bid bond by Delta Rubber Co. and rejecting all other bids for furnishing fire hose. (Memorandum with agenda. One resolution needed.)

ACTION: Res. 86-602 adopted rejecting bids. (Finance to handle)

CONSENT

12. Consider approving contract with The Fisher Group for advertising/promotion of Modesto's public transit services. (Memo with agenda. Resolution approving agreement needed. Estimated cost: \$30,000. Funds are budgeted.)

ACTION: Res. 86-603 adopted approving agreement. (P/T to handle)

13.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Gwen Abernathy asked questions regarding Harvis Construction Co. Rev. Franklin Clemens asked that a street be named in honor of Martin Luther King. Miguel Donoso requested information concerning requirements for hiring minorities on the Community Center project. Ron Jourdenais spoke.

NEW BUSINESS

14. Report concerning Emergency Medical Response.  
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Muratore/Sutton, unan., Mayor Mensinger absent) the recommendations were approved and staff were directed to make a complete study and report back as soon as possible.  
(Fire to handle)

15. Consider adoption of the Fiscal Year 1986-87 Annual Budget (including the first year of the Four-Year Capital Improvement Program.)  
(Memo with agenda. Adoption of ordinance needed.)

ACTION: A motion to approve the budget after deleting items concerning the Community Center failed to carry (Patterson/McGrath, Lang, Muratore, Sutton, Whiteside-no, Mayor Mensinger absent)

By motion (Lang/Muratore, majority, McGrath and Patterson-no, Mayor Mensinger absent) Ord. No. 2436-C.S. adopted approving 1986-87 budget.  
(Clerk/Finance to handle)

CONSENT

16. Consider amending the Final Budget of the City of Modesto for the Fiscal Year 1985/86 to provide for the establishment of various reserve appropriations.  
(This is an annual identification of reserves to comply with Article XIII B of the State Constitution. Resolution authorizing establishment of reserves needed.)

ACTION: Res. 86-604 adopted authorizing establishment of reserves.  
(Finance to handle)

CONSENT

17. Authorize renewal of Excess Workers' Compensation insurance with General Reinsurance Corporation.  
(Memorandum with agenda. Resolution authorizing renewal of Excess Workers' Compensation Insurance needed. Estimated cost: \$31,500. Funds are budgeted.)

ACTION: Res. 86-605 adopted authorizing renewal of insurance. (Atty. to handle)

CONSENT

18. Revise water and sewer service charges for schools.  
(Annual review of school water and sewer rates has been completed. An increase in both fees is recommended to become effective in 1986. Memo with agenda. Two resolutions updating fees needed.)

ACTION: Res. 86-606 adopted updating school water service charges.  
Res. 86-607 adopted updating school sewer service charges.

19. Consider approving the amended and restated service agreement with Stanislaus Waste Energy Company/Ogden Martin System of a waste-to-energy facility in Stanislaus County.  
(Memo with agenda. Resolution approving amended agreement needed.)

ACTION: Res. 86-608 adopted (Muratore/Patterson, unan., ) approving agreement.  
(Utility)

urks  
e)

6/24/86

CONSENT

20. Consider approving agreement with Allen Thompson, executor for the estate of Christian M. Johansen, deceased, for acquisition of a sewer easement needed to install the Yosemite trunk sewer.  
(This is an acquisition of 29,376+ square feet sewer easement needed to install the Yosemite sewer trunk. Memo with agenda. Resolution approving agreement needed. Estimated cost: \$4,250. Funds are budgeted.)

ACTION: Res. 86-609 adopted approving agreement. (Utility Serv. to handle)

CONSENT

21. Set hearing to consider revised wall and fence standards.  
(On March 3, 1986, the Planning Commission adopted revised Wall and Fence Standards and recommended adoption by the City Council. Resolution setting hearing July 15, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-610 adopted setting hearing. (Clerk to handle)

CONSENT

22. Set hearing to update and review water main connection fees and add a water system fee.  
(Staff has reviewed the water main connection fee and is proposing to add an additional fee for all customers tying into the City water system. These fees have been reviewed and approved by the Fees Committee. Resolution setting hearing July 8, 1986, at 7:30 p.m. needed.)

ACTION: Res. 86-611 adopted setting hearing. (Clerk to handle)

CONSENT

23. Consider approval of the final map of Stonegate Manor 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: Grant Construction Co., Inc.  
(The subdivision agreement has been signed and all fees paid. Stonegate Manor subdivision is located north of Scenic Drive between McGuire Drive and Sonoma Avenue. It contains 18.254 acres. Resolution approving final map needed.)

ACTION: Res. 86-612 adopted approving final map. (Clerk to handle)

CONSENT

- 23A. Consider reduction of insurance requirements for the July 4th fireworks display.  
(Memo with agenda. Resolution amending Resolution No. 86-366 reducing insurance requirements for the July 4th fireworks display needed.)

ACTION: Res. 86-613 adopted reducing insurance requirements for July 4th fireworks display. (Atty. to handle)

MISCELLANEOUS

CONSENT

24. Legislation

Staff recommends opposing SCA 31 (Torres) - Hazardous Substance. Constitutional Provisions to Regulate Toxic Exposure. (Memo and attachment with agenda. Motion accepting staff recommendation needed.)

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

25. Appointments

None

26.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

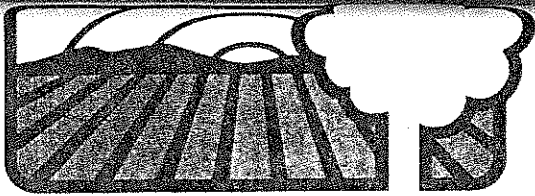
None

ADJOURNMENT

The meeting adjourned at 11:25 p.m. to July 1, 1986, at 3:30 p.m., City Hall, 3rd Floor Conference Room to consider an employee relations matter.

ATTEST:

Norrine Coyle  
NORRINE COYLE City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 1, 1986, AT 4:00 P.M.

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

Absent: None

Pledge of Allegiance to the Flag

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

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 6A, 9, 10, 11, 13, 14,  
17, 18, 19, 20, 21, 22, 23, 24,

Dropped from agenda: 12, 27

ACTION: (Whiteside/Muratore, unan.)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

### MINUTES

#### CONSENT

2. Approval of the minutes of the June 24, 1986, special and regular City Council meetings.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

CONSENT

3. Consider report on El Vista No. 4 Annexation election.  
(The annexation was approved by the voters. Memo with agenda. Two resolutions certifying results of election needed.)

ACTION: Res. 86-614 adopted certifying canvass of votes  
Res. 86-615 adopted annexing El Vista No. 4. (Clerk to handle)

4. Further consideration of traffic signals on La Loma.  
(Memo with agenda. This is a further report on metering traffic signals. Motion approving proposed installation and resolution transferring funds for the plan selected needed. Estimated cost: \$60,000 - \$95,000, depending on plan selected.)  
Councilmember Whiteside excused due to a conflict of interest.

ACTION: By motion (Patterson/McGrath, majority, Mayor Mensinger-no, Whiteside absent) staff directed to not install the signal at the bridge but to look into other suggestions such as changing the timing on the existing signal and installation of stop signs.

5. Consider support of Library special tax measure.  
(Memo with agenda. Resolution in support of Measure L needed.)

ACTION: Res. 86-616 adopted (Patterson/McGrath, unan.) supporting Measure L.  
(Mgr. to handle)

6. Presentation of Schools Advisory Committee Report.  
(The City Council established the Schools Advisory Committee to analyze school impacts and provide recommendations regarding mitigation of impacts. This was to be completed before any sewer trunks were to be placed on the November 1986 ballot for an advisory vote. The Committee's report is attached. Motion acknowledging receipt of report and directing staff on how to proceed needed.)

ACTION: By motion (Sutton/Patterson, unan.) receipt of report acknowledged, staff directed to proceed with an ordinance to provide for a developers' fee and Committee recommendations were referred to the Public Projects Committee for study and recommendation to the Council.  
(Planning to handle)

CONSENT

- 6A. Further consideration of application of "Balloons Over the Valley" for direct City assistance for a hot air balloon fund-raising event on September 20 and 21, 1986, and request to amend the insurance requirement to \$1,000,000.  
(Memo with agenda. Motion authorizing direct City assistance for the hot air balloon event and amending previous Council resolution lowering liability insurance requirement to \$1,000,000. Estimated cost: \$2,700. Funds are budgeted.)

ACTION: By motion, direct City assistance authorized.  
Res. 86-617 adopted approving amendment to agreement to lower the insurance requirement. (Utility Services to handle)

HEARINGS

7. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of John Williams, to a Planning Commission decision denying plot plan approval for a flag lot in the R-1 Zone and a vesting tentative parcel map, property located on the west side of College Avenue south of Woodman Way.

ACTION: A motion to deny the appeal did not pass. (Lang/Sutton, McGrath, Muratore, Patterson, Whiteside-no)

By motion (McGrath/Patterson, unan.) this item was continued to July 15, 1986, at 4:00 p.m. to allow redesign of the plot plan to alleviate problems of backing onto College Avenue. (Clerk to handle)

8. Hearing to consider an amendment to Sec. 10-3-9 of the Zoning Map to rezone from R-3 to P-D(406), property located on the east side of Coffee Road south of Sylvan Avenue on the north side of Princewood Lane for a two and three-story senior citizen retirement center.

ACTION: By motion (Lang/Whiteside, unan.) Ord. No. 2437-C.S. introduced.  
Res. 86-618 adopted (same vote) approving plan.  
Res. 86-619 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 July 15, 1986, at 3:15 p.m., for furnishing one 1/2 ton pickup truck.  
(Requested by the Service Division, the truck will be permanently assigned to the Fire Department and used as a general service truck. It will replace a similar unit presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$10,200. Funds are budgeted.)

ACTION: Res. 86-620 adopted calling for bids. (Finance to handle)

CONSENT

10. Consider accepting Richard A. Heaps' contract to modify traffic signals at Tully/Standiford and at Coffee/Sylvan as complete. (Memo with agenda. Substantial completion occurred on May 7, 1986, when the signals became fully operational. Acceptance has been delayed awaiting completion of minor contract items. All work is now complete. Resolution accepting contract as complete and directing City Clerk to file Notice of Completion needed. Estimated cost: \$79,309. Funds are budgeted.)

ACTION: Res. 86-621 adopted accepting as complete. (P/T to handle)

CONSENT

11. Consider award of contract for the surfacing at Muncy Park, West Side Park, and John Thurman Field. (Bids were opened on June 24, 1986. The low bid of \$23,100, submitted by Genstar Western Stone Products, Inc., is 7.6% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Genstar Western Stone Products needed. Estimated cost: \$23,100. Funds are budgeted.)

ACTION: Res. 86-622 adopted awarding contract. (Eng. to handle)

CONSENT

12. Consider award of contract for Ironside water and sewer line extension. (Bids were opened on June 24, 1986. The low bid of \$35,457, submitted by Clyde Wheeler Pipeline, Inc., is 19.5% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to them. Resolution awarding contract to Clyde Wheeler Pipeline needed. Funds are budgeted.)

Dropped from agenda.

CONSENT

13. Consider rejection of bids for the construction of Project No. 16, replacement of curb, drive aprons and sidewalks at various locations and call for rebid of the project. (Suggested bid opening: July 22, 1986, at 11:05 a.m. Memo and bid tabulation with agenda. Resolution rejecting bids and call for re-bid for Project No. 16 needed. Estimated cost: \$31,969 (Contract - \$29,063; Engineering - \$2,906). Funds are budgeted.)

ACTION: Res. 86-623 adopted calling for re-bid. (Eng. to handle)

WRITTEN COMMUNICATIONS

CONSENT

14. Letter from Claus J. Fuhlendorf, President of the City of Modesto Retirees, requesting an increase in the retirement allowance for safety members who were service retired prior to adoption of California Employees' Retirement Law Section 21251.01 by the City of Modesto. (Motion referring to staff for recommendation needed.)

By motion, request referred to staff for recommendation.

(Mgr. to handle)

15.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Bob Todd, Children's Crises Center, said the Merced Mayor challenged the Modesto Mayor, and Mr. Todd asked the Modesto Councilmembers to challenge the Merced City Council, to participate in the annual frog jumping contest on July 19.

NEW BUSINESS

16. Consider actions necessary to implement various employee relations negotiations.

ACTION: Res. 86-624 adopted approving Memorandum of Understanding with the Modesto City Employees' Association.

Res. 86-625 adopted approving revised salary schedule.

Res. 86-626 adopted approving revised dental and health insurance coverage.

Res. 86-627 adopted approving uniform allowance for Police.

Res. 86-628 adopted approving revised deferred compensation plan.  
(Mgr./Finance to handle)

CONSENT

17. Consider City-County Joint Transportation Committee recommendations on transit.  
(Resolution setting hearing on July 22, 1986, at 7:30 p.m. to consider route modifications, and motion approving recommendations needed.)

ACTION: Res. 86-629 adopted setting hearing.  
By motion, recommendations approved. (Clerk/P.T. to handle)

CONSENT

18. Consider setting hearing for annual review of monthly water rates schedule.  
(Staff reviews water fund and water service fees each year. This review has been completed, and an adjustment in monthly water fees is recommended. The average increase in fees will be 7.3%.  
(Resolution setting hearing July 15, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-630 adopted setting hearing. (Clerk to handle)

CONSENT

19. Consider authorizing Airport Manager to enter into individual leases with the owner of portable "T" Hangars.  
(The lease originally approved for this process needs to be changed to revise the fire insurance provision. Memo with agenda. Resolution authorizing Airport Manager to enter into lease agreement for portable "T" hangar plots.)

ACTION: Res. 86-631 adopted authorizing Airport Manager to enter into lease agreements. (Utility Services to handle)

CONSENT

20. Consider approving an amendment to agreement with Thompson-Hysell Engineers, Inc. for construction surveying services on the Wastewater Treatment Expansion Project, Units 2 and 3.  
(Additional surveying beyond the original contract scope has been and will be required due to unforeseen field conditions and additional surveys needed by the City. It is appropriate to compensate the engineer for these additional services. Memo with agenda. Resolution approving the amendment to agreement needed. Estimated cost: \$44,737.17. Funds are budgeted.)

ACTION: Res. 86-632 adopted approving amendment to agreement. (Utility Services to handle)

CONSENT

21. Consider setting hearing concerning a Zoning Code text amendment pertaining to Outdoor Display, Sales and Promotions in the Commercial zones. (Sections 10-2.1009, 10-2.1109, 10-2.1208, and 10-2.1309)  
(On June 2, 1986, the Planning Commission adopted Resolution 86-105 recommending to the City Council the adoption of Zoning Code text amendment pertaining to outdoor display, sales and promotion in the commercial zones. Resolution setting hearing August 5, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-633 adopted setting hearing. (Clerk to handle)

CONSENT

22. Consider an agreement with New Deal Market to operate a utility pay station at 1612 Crows Landing Road, and cancellation of the utility pay station agreement with Spengler's Supermarkets of Modesto for this location.  
(Memo with agenda. Resolution cancelling the pay station agreement with Spengler's Supermarkets of Modesto, and resolution approving an agreement with New Deal Market needed.)

ACTION: Res. 86-634 adopted canceling agreement with Spengler's Supermarkets.  
Res. 86-635 adopted approving agreement with New Deal Market.  
(Finance to handle)

CONSENT

23. Resolution certifying to the Board of Supervisors of the County of Stanislaus the amount of money needed by the City of Modesto for the 1986-87 payment of principal and interest on bonds of the Modesto Municipal Sewer District No. 1.  
(Memo with agenda. Resolution needed.)

ACTION: Res. 86-636 adopted certifying to Board of Supervisors.  
(Finance to handle)

CONSENT

24. Consider abandonment of the five-foot public utility easement in Lot 6 of Block 1518 of the City of Modesto.  
(Memo with agenda. Resolution vacating and abandoning the five-foot public utility easement in Lot 6 of Block 1518 needed.)

ACTION: Res. 86-637 adopted abandoning public utility easement.  
(Engineering to handle)

26. Consider approval of lease agreement for rental of 4,285 square feet of office space in the Turner's Building located at 9th and H Streets.  
(Memo with agenda. It is proposed to relocate the Parking and Traffic Department, Risk Management Division, and Solid Waste Management office into this leased space making needed office space in City Hall available. Resolution approving lease agreement and resolution approving appropriation transfer needed.)  
Councilmember Sutton excused due to a conflict of interest.

ACTION: Res. 86-638 adopted (Lang/Whiteside, majority, McGrath, Patterson-no, Sutton absent) approving office space lease agreement.

Res. 86-639 adopted (same vote) approving storage space lease agreement.

Res. 86-640 adopted (same vote) approving appropriation transfer.  
(Manager to handle)

CONSENT

- 27 Consider approval of the final map of Quail Manor 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. (Guarantee Financial Services)  
(The subdivision agreement has been signed and all fees paid. Quail Manor is located between Belharbour Drive and Floyd Avenue, East of Roselle Avenue, containing 14.466 acres. Resolution approving final map needed.)

Dropped from agenda

MISCELLANEOUS

28. Appointments

None

29.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

Meeting adjourned at 8:35 p.m. to Wednesday, July 2, 1986, at 9:30 a.m. in the City Hall Third Floor Conference Room for a meeting with Senator Pete Wilson.

ATTEST:

  
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
July 2, 1986

The Council of the City of Modesto met pursuant to adjournment at 9:30 a.m. in the Third Floor Conference Room at City Hall, 801 11th Street, Modesto, California.

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

Absent: Councilmembers: None

The Councilmembers met with Senator Pete Wilson to discuss various pieces of legislation of interest to the City of Modesto. There was discussion of the following topics:

- Industrial Revenue Bonds and tax increment financing
- Highway Authorization Bill
- General Revenue Sharing and U.M.T.A. Funds
- Infrastructure needs
- Needs of Schools
- Cities' general liability
- Super Collider

The meeting adjourned at 10:35 a.m.

ATTEST:   
NORRINE COYLE, City Clerk

7/2/86

Special Meeting  
Modesto City Council  
July 8, 1986

The Council of the City of Modesto met at 7:00 p.m. in the Council Chambers, City Hall, 801 Eleventh Street, Modesto, California.

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

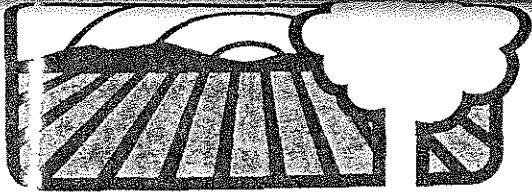
Absent: Councilmember Patterson

Councilmember McGrath arrived at 7:05 p.m.

The Councilmembers met in closed session to consider an employee relations matter.

The meeting adjourned at 7:30 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 8, 1986, AT 7:30 P.M.

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

Absent: Councilmember Patterson

Pledge of allegiance to the Flag

Invocation: Rev. Jim Talley, First Baptist Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 3, 10, 11, 13, 14, 15,  
16, 17, 18, 20, 21, 22, 26, 27, 28,  
29, 30, 31, 32, 33

Removed from consent: 4

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

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation by the Modesto Police Department Crime Prevention Unit.

Officers Michelle Knox and Dan Inderbitzen presented T-shirts designed by Officer Inderbitzen to the City Council members and spoke about a Crime Prevention Fair at Vintage Faire.

2. Presentation of the second annual Eric Shaw Memorial Scholarship award to Steve LeCouve.

R.C. Smith introduced Steve LeCouve, the winner of the Eric Shaw Memorial Scholarship.

## MINUTES

### CONSENT

3. Approval of the minutes of the July 1, 1986, regular City Council meeting and the July 2, 1986, adjourned regular City Council meeting.  
(Motion approving needed.)

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

## UNFINISHED BUSINESS

4. Consider approval of transfer of \$60,000 from the Water Fund Exigency Reserve to the Stoddard Solvent Clean-up for additional sampling, testing, analytical analysis and monitoring wells as requested by the State Regional Water Quality Control Board and the Department of Health Services.  
(Memo with agenda. Resolution authorizing transfer of \$60,000 needed.)

ACTION: Res. 86-641 adopted (Lang/Sutton, majority, McGrath-no, Patterson absent) approving transfer. (Utility Services to handle)

5. Further consideration of audible traffic signals, Washington at Paradise/H Street.  
(Memo with agenda. Modesto City Schools is not willing to share in the liability but is willing to help on the \$500 installation cost. Motion directing staff needed. Estimated cost: \$500. Funds are budgeted.) Councilmember Lang excused due to a conflict of interest.

ACTION: By motion (Whiteside/Muratore, unan., Lang and Patterson absent) staff directed to proceed with installation of the audible signal, sharing installation costs with the Modesto City Schools District.  
(P/T to handle)

## HEARINGS

6. Hearing to consider the appeal of Campus Commons Professional Association to a Board of Zoning Adjustment decision regarding an application of the City of Modesto Utility Services Department, for an amendment to a conditional use permit for the temporary use of a portion of the City's Fire Training Center property to stockpile, ship, and transfer garden refuse, property located on the north side of Blue Gum Avenue east of Carpenter Road.

ACTION: Res. 86-642 adopted (Muratore/Sutton, unan., Patterson absent) denying the appeal and granting the application to include conditions to minimize problems to neighbors.  
(Utility Services to handle)

7. Hearing to consider update and review of water main connection fees and to add water system fee.

ACTION: By motion (Muratore/Whiteside, unan., Patterson absent) hearing continued to July 15, 1986, at 4:00 p.m.

(Prior to the opening of the following hearings, the meeting of the Redevelopment Agency will be convened in order that these hearings and the identical ones on the Redevelopment Agency agenda can be conducted concurrently.)

8. Continued joint Council/Redevelopment Agency hearing to consider the proposed lease and development of land pursuant to a proposed disposition and development agreement with Civic Plaza Hotel Associates. (John Q. Hammons)

Mayor Mensinger excused due to a conflict of interest.

ACTION: By motion (Sutton/Muratore, unan., Patterson and Mayor Mensinger absent) the disposition and development agreement with Civic Plaza Hotel Associates was not approved.

9. Joint Council/Redevelopment Agency hearing to consider the proposed lease and development of land pursuant to a proposed disposition and development agreement with Community Center Hotel Associates (Allen Grant) Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 86-643 adopted (Lang/Sutton, majority, McGrath-no, Patterson and Mayor Mensinger absent) approving and authorizing the execution of a Disposition and Development Agreement between the Redevelopment Agency of the City of Modesto and Community Center Hotel Associates.

Res. 86-644 adopted (Muratore/Lang, majority, McGrath-no, Patterson and Mayor Mensinger absent) approving and authorizing the execution of a Lease agreement between the Redevelopment Agency of the City of Modesto and Community Center Hotel Associates.

(Manager to handle)

#### BIDS

#### CONSENT

10. Consider approval of plans and specifications and call for bids for the remodeling of and addition to the Water Quality Control Facility Control building.

(Suggested bid opening: July 29, 1986, at 11:05 a.m. This project consists of remodeling the existing administration building to provide for office space for three waste water inspectors, electrical supervisor and electric technician. The project will also repair and replace the roof system to correct chronic problems with the roof. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$101,000 (contract - \$90,000; engineering and contingencies - \$11,000). Funds are budgeted.)

ACTION: Res. 86-645 adopted calling for bids. (Eng to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for relocation of the Simms House.  
(Suggested bid opening: July 29, 1986, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$42,102 (contract - \$38,275; engineering - \$3,827). Funds are budgeted.)

ACTION: Res. 86-646 adopted calling for bids. (Eng to handle)

CONSENT

13. Consider acceptance of Ireland's contract for the construction of East Laloma Park Pool. Original contract: \$61,547.  
(All work on this project has been completed to the satisfaction of the Engineering 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: \$68,583.49. Funds are budgeted.)

ACTION: Res. 86-647 adopted accepting as complete. (Clerk to handle)

CONSENT

14. Consider acceptance of the contract of Joe Martin Pipeline for the strengthening of the water system on Sycamore Avenue from Roseburg to Orangeburg. Original contract: \$47,000.  
(All work on this project has been completed to the satisfaction of the Engineering Department and the Utility Services 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: \$46,928.75. Funds are budgeted.)

ACTION: Res. 86-648 adopted accepting as complete. (Clerk to handle)

CONSENT

15. Consider acceptance of the contract of Joe Martin Pipeline for the 13th Street water system strengthening. Original contract: \$24,000.  
(All work on this project has been completed to the satisfaction of the Engineering and Utility Services 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: \$23,478. Funds are budgeted.)

ACTION: Res. 86-649 adopted accepting as complete. (Clerk to handle)

CONSENT

16. Consider acceptance of Smartt Construction's contract for the Scenic Drive curb, gutter and sidewalk. Original contract: \$30,908.20.  
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Final cost: \$36,953.71. Funds are budgeted.)

ACTION: Res. 86-650 adopted accepting as complete. (Clerk to handle)

CONSENT

17. Consider acceptance of B & L Builders' contract for the construction of the metal storage building at the Water Quality Control Plant. Original contract: \$54,118.56.  
(All work on this project has been completed to the satisfaction of the Utility Services Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Final cost: \$54,568.57. Funds are budgeted.)

ACTION: Res. 86-651 adopted accepting as complete. (Clerk to handle)

CONSENT

18. Consider waiving formal bid procedures and purchase one Rapid Extractor for processing utility payments from the Opex Corporation.  
(Memo with agenda. Resolution authorizing waiving of bids and purchase of rapid extractor. (Five affirmative votes needed.) Estimated cost: \$8,510 plus maintenance contract of \$850. Funds are budgeted.)

ACTION: Res. 86-652 adopted waiving bid. (Finance to handle)

COMMUNICATIONS

19. Letter from Robert C. Otto, Superintendent of Modesto City Schools, concerning an election to fill the vacancy on the Board of Education created by the resignation of Dan Wood.

Dropped from agenda

CONSENT

20. Letter from Ida McClure, Secretary of the McHenry Museum Society Board of Directors requesting approval to become a "twin" of the museum in Andover, Hampshire, England.  
(Motion referring to staff for recommendation needed.)

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

CONSENT

21. Appeal by Mid-Valley Engineering to a decision of the Environmental Assessment Committee concerning Live Oak Vesting Tentative Subdivision Map.  
(Resolution setting public hearing August 5, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-653 adopted setting hearing. (Clerk to handle)

CONSENT

22. Letter from Nancy M. Young, Executive Director of the Downtown Improvement District, requesting permission to hold a downtown sidewalk sale on July 16, 17, 18, and 19, 1986.  
(Motion granting permission needed.)

ACTION: By motion, permission granted. (Planning to handle)

23.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Adrian Mendoza commented on the use of the Lincoln School site. Rev. Franklin Clemens spoke regarding naming a street in honor of Martin Luther King. Bob Todd spoke about the Children's Crises Center's Frog Jumping Contest. Jim Dovichi had a question about the City property on which the hotel will be located. Ron Jourdenais spoke.

NEW BUSINESS

24. Consider changes in appeals procedures and fees.  
(Memo with agenda. Staff recommends dropping preparation of verbatim transcripts for appeals. Motion directing staff needed.)

ACTION: By motion (McGrath/Lang, unan., Patterson-absent) staff recommendation approved but the present procedure for charging for transcripts be retained until the Fees Task Force makes a recommendation. (Planning to handle)

25. Introduction of the School Site and Facilities Fee ordinance and adoption of a resolution establishing the amount of the fees.  
(Memo with agenda. Introduction of ordinance and adoption of resolution needed.)

ACTION: By motion (Whiteside/Sutton, majority, Mayor Mensinger-no, Patterson absent) Ord. No. 2438-C.S. introduced establishing fees.

Res. 86-654 adopted establishing amount of fees. (Clerk to handle)

CONSENT

26. Consider renewal of property insurance due to expire July 15, 1986.  
(Memo with agenda. Resolution authorizing renewal of property insurance with Central Mutual Insurance Company for the year July 15, 1986, through July 14, 1987, needed. Estimated cost: \$42,319. Funds are budgeted.)

ACTION: Res. 86-655 adopted authorizing renewal of insurance. (Attorney to handle)

CONSENT

27. Consider renewal of boiler and machinery insurance due to expire July 15, 1986.  
(Memo with agenda. Resolution authorizing renewal of boiler and machinery insurance policy with Kemper Insurance for July 15, 1986, through July 14, 1987, needed. Estimated cost: \$5,178. Funds are budgeted.)

ACTION: Res. 86-656 adopted authorizing renewal of insurance. (Attorney to handle)

CONSENT

28. Consider annexation of territory in the Yosemite-Claus Reorganization to the City of Modesto.

(On June 18, 1986, LAFCO approved this uninhabited annexation which was initiated by a petition of property owners. The reorganization includes eleven agricultural parcels ranging from 48 to 262 acres, and is located between M.I.D. Lateral No. 2, Yosemite, Claus Road, and Hobart Drive. These parcels total 380.5 acres and contain five existing dwellings. There are five registered voters within the area. LAFCO has authorized the City Council to proceed without notice, hearing or election. Resolution ordering the Yosemite-Claus Reorganization to the City of Modesto, detaching from the Empire Fire Protection District, annexing to the Modesto Municipal Sewer District, and certifying review of environmental impacts needed.)

ACTION: Res. 86-657 adopted annexing Yosemite-Claus Addition to the City. (Clerk to handle)

CONSENT

29. Consider authorizing City Manager to sign agreement with Guarantee Financial Services for sanitary sewer improvements to Quail Manor Subdivision.

(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$5,451.14. Funds are budgeted.)

ACTION: Res. 86-658 adopted approving agreement. (Eng to handle)

CONSENT

30. Consider approval of the final map of Quail Manor 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: Guarantee Financial Services.

(The subdivision agreement has been signed and all fees paid. Quail Manor is located between Belharbour Drive and Floyd Avenue, east of Roselle Avenue. It contains 14.466 acres. Resolution approving final map needed.)

ACTION: Res. 86-659 adopted approving final map. (Clerk to handle)

CONSENT

31. Consider authorizing City Manager to sign agreement with Robert D. Mangum for inspection services.

(Memo with agenda. Subdivision activity continues to increase and it is necessary to contract out the inspection services. Resolution approving agreement needed. Estimated cost: \$30,000. Funds are budgeted.)

ACTION: Res. 86-660 adopted approving agreement. (Eng to handle)

CONSENT

32. Consider acceptance of improvements in Regency Park No. 2 Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Joseph Trombetta. (Regency Park No. 2 is located north of Veneman Avenue and west of Prescott Road. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 86-661 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

33. Consider excusing Mayor Mensinger from the June 17, 1986, City Council meeting due to her attendance at the U. S. Conference of Mayors convention. (Motion excusing absence needed.)

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

34. Consider actions necessary to implement various employee relations negotiations.

ACTION: Res. 86-662 adopted (Whiteside/Lang, unan., Patterson absent) approving Memorandum of Understanding with Modesto City Fire Fighters Association.

Res. 86-663 adopted (same vote) amending 1986-87 salary resolution.

Res. 86-664 adopted (same vote) authorizing payment of group health, dental and vision insurance premium rates for the Modesto City Fire Fighters, including Fire Management Employees.

Res. 86-665 adopted (same vote) establishing uniform allowance for Fire Department Personnel. (Manager to handle)

MISCELLANEOUS

35. Appointments

None

36. MATTERS TO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 12:32 p.m. to Monday, July 14, 1986, at 6:30 p.m. at the Sundial Restaurant, 806 McHenry Avenue, Modesto, California.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
Modesto Planning Commission  
July 14, 1986

The Council and the Planning Commission of the City of Modesto met pursuant to adjournment at 6:30 p.m., in the Sundial Restaurant, 806 McHenry Avenue, Modesto, California.

Present:

Councilmembers Lang, McGrath, Patterson, Sutton, Whiteside,  
Mayor Mensinger

Commissioners Davis, Fleming, Gallagher, Irizarry, Shaffer,  
Chairperson Hart

Absent:

Councilmember Muratore

Mayor Mensinger reported that the Council Appointments Committee is working to fill the Planning Commission vacancy and will be interviewing during the first week of August. She said Mr. Shaffer had suggested that a "pool" of applicants be established so that a person could be selected quickly when there is a vacancy. She mentioned the Charter amendment that will be placed on the November 4, 1986 ballot to provide for Planning Commissioner compensation.

Chairperson Hart discussed his and other Commissioners' philosophy about their responsibilities, and mentioned an extract John Fleming had prepared from "The Job of the Planning Commissioner" by Albert Solnit. He said they would like clarification of how the City Council sees the Commission's role.

Dr. Gallagher noted that the Commission is very active, holds strong opinions, and needs to be told if it is going in the right direction.

Mr. Fleming felt the Commission should meet more often with the City Council, with parameters and priorities set by the Council. When the Council disagrees, the Commissioners need to know why.

There was a discussion of the extract from Solnit's book and the 1986-87 C.I.P. Mr. Hart said the Commission had moved a long way over the past four years, from receiving and approving the C.I.P. to now studying and making recommendations. He mentioned that the Circulation Element has over \$117 million worth of projects and he is concerned about the lack of funds. He said he was pleased with the Council's acceptance of most of the capital improvement projects that the Commission had recommended.

Mr. Patterson said it is always the same people who have to pay for traffic signals and other infrastructure. There was a discussion about the traffic signal policy and the history of how the Planning Commission started its study, and the traffic policy discussion at the January 9 joint Council/Commission meeting. Mr. Lang felt there should be revenue sources for

community development projects other than developer fees. He didn't want to see \$7,000 of developer fees on each lot as in San Diego. Mrs. Whiteside said the City has to take a step at a time, noting Tracy, Manteca and other nearby cities have fees. Mayor Mensinger wondered which was the better approach -- one step at a time, or to look at the whole package of needs.

Mr. Hart said the Commission felt that the Councilmembers knew they were working on a traffic signal policy, but it appeared at the Council meeting that they had not heard of it. He thought there was so much material sent to the Council about the traffic signal policy that it was difficult to read it all.

Mr. Hart felt no one was hurt by the condition concerning traffic signals. If the conditions were included in approvals of developments, and if a traffic signal policy is approved some day, the fees would be available for City use. He felt this was good planning.

Mr. Sutton felt the channel of communication between the Council and Commission has to be improved, possibly by meeting more frequently. He said he wants the Planning Commission to be innovative and initiate new things.

Mr. Hart expressed concern about how the projects recommended in the Circulation Element will be funded. He said the Commission feels awkward presenting something that the Council does not favor. Mrs. Whiteside said maybe the Council and Commission need to meet on a project before the Planning Commission starts having public hearings. There was a discussion of whether to have a study session concerning the Circulation Element before going to the Council. Mr. Irizarry agreed there should be study sessions on major projects. He said the public got a bad impression, feeling the Council didn't want to handle the traffic signal policy.

Mrs. Whiteside said there has to be a plan of what we want, and it should not be limited to what we can afford at this time.

Mr. Patterson felt that Modesto has to have more jobs and a better economic base before adding fees to new construction. Mayor Mensinger said the people who live here and commute to the Bay Area are driving up the prices for the local people. Mr. Shaffer said other cities are charging fees on new building and felt that is the only way to fund the City's needs.

Mr. Hart said there should be some point at which the City not approve legal R-1 developments with no amenities, but instead would required P-D's with some green space. He believed more good should come out of developments than just "a house, driveway, and garage."

Mr. Shaffer asked about using C.R.I.S. to determine costs, both capital and operating. Bill Nichols said, after studying it, he felt it was better to develop fees for specific items, such as the Schools Site and Facilities Fee and Traffic Signal Fee. He thought the system should be simplified rather than using the complex formula A.B.A.G. uses.

Mr. Patterson felt there should be a total package, including sources of funding, because things keep changing.

Mayor Mensinger said we need to identify what we want to do and figure out where the money is coming from. She thought it might be well to have a study session on the Circulation Element after the Planning Commission's public hearings. Mr. Hart said he doesn't want to include anything in the Circulation Element until some funding sources can be identified. The Commission and Council need to agree on what needs to be in the element, and not leave things out just because there is no money at this time. The Planning Commission could study and make recommendations about where funds could come from.

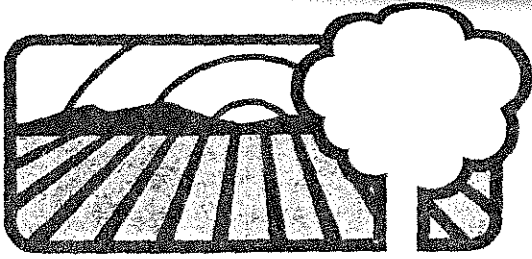
Dr. Gallagher discussed the proposed Brighton Bridge and the public reaction to the proposal. Mayor Mensinger said the Planning Commission should go ahead and study it, and arrive at a decision based on its best judgment, keeping in mind that the Council may have a different perspective.

It was agreed that Wednesday, September 24, at 5:00 p.m., in the City Hall Multipurpose Room, would be set as the study session to discuss the proposed Circulation Element. Mrs. Whiteside felt there should also be a goal-setting session for the Council and Commission. It was decided that such a session could be discussed at the September meeting.

Mr. Lang felt that maybe the reasons the Council hasn't provided as much guidance to the Planning Commission as necessary is because the Commission in the past has not worked as aggressively as this one.

The meeting adjourned at 9:15 p.m., with the City Council adjourning to July 15, 1986, at 3:30 p.m. for a closed session, pursuant to Government Code Section 54956.9 (c), to discuss whether to initiate litigation regarding the City's methane fuel program, and also for the purpose of discussing employee relations pursuant to Government Code Section 54957.6.

ATTEST: Norrine Coyle  
Norrine Coyle, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 15, 1986, AT 4:00 P.M.

Roll Call - Present: Councilmembers Lang, McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger  
(Councilmember Whiteside arrived at 4:09 p.m.)

Absent: None

Pledge of Allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 13, 20, 21, 22, 23, 24, 25, 27

Removed from consent: 16

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

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

None

## MINUTES

### CONSENT

2. Approval of the minutes of the July 8, 1986, adjourned regular and regular City Council meetings.  
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Revised Sidewalk Food Vendors proposal.  
(Memo including proposed rules and regulations with agenda. Motion introducing ordinance needed and resolution approving rules and regulations needed.)

ACTION: By motion (Whiteside/Sutton, unan.), Ord. No. 2439-C.S. introduced establishing a permit procedure to allow sidewalk food vendors. Res. 86-666 adopted (Whiteside/Sutton, unan.) approving fees, rules and regulations for sidewalk food vendors. Res. 86-667 adopted (Whiteside/Sutton, unan.) certifying review of environmental assessment.  
(Clerk/Manager to handle)

4. Final adoption of Ord. No. 2435-C.S. rezoning from R-1 to P-D(408) and pre zoning to P-D(408), property located north of Houser Lane east of Wilma Drive. (P & R Enterprises)  
(Motion adopting needed.)  
Mayor Mensinger was excused because she was not present when this ordinance was introduced.

ACTION: By motion (Lang/Muratore, majority, Whiteside-no, Mayor absent) Ord. No. 2435-C.S. adopted. (Clerk to handle)

Item 18 considered prior to item 5.

5. Final adoption of Ord. No. 2438-C.S. amending Article 2 of Chapter 1 of Title VIII of the Modesto Municipal Code relating to School Site and Facilities Fees.  
(Motion adopting needed.)

ACTION: By motion (McGrath/Patterson, majority, Mayor-no) Ord. No. 2438-C.S. adopted.  
By motion (Lang/Patterson, Majority, Sutton, Whiteside, Mayor-no) staff directed to prepare an amendment to Ord. No. 2438-C.S. to establish July 1, 1986, as the cut-off date for the application of fees for vesting and nonvesting maps. (Planning & C. D. to handle)

Item 16 considered following item 5.

CONSENT

6. Final adoption of Ord. No. 2437-C.S. rezoning from R-3 to P-D(406), property located on the east side of Coffee Road, south of Sylvan on the north side of Princewood Lane. (Westlake Roemer Development)  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2437-C.S. adopted. (Clerk to handle)

## HEARINGS

7. Continued hearing to consider appeal of Mid-Valley Engineering, on behalf of John Williams, to a Planning Commission decision denying plot plan approval for a flag lot in the R-1 Zone and a vesting tentative parcel map, property located on the west side of College Avenue south of Woodman Way.  
(Continued from July 1, 1986 City Council meeting.)

ACTION: Res. 86-668 adopted (McGrath/Patterson, majority, Lang, Sutton and Whiteside-no) granting the appeal and approving the plot plan.  
Res. 86-669 adopted (McGrath/Patterson, majority, Lang, Sutton and Whiteside-no) approving the vesting tentative map.  
(Planning & C. D. to handle)

8. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Alvin Johnson, to a Planning Commission decision concerning a parcel map, property located at the southwest corner of Lindenwood Court and Ginger Way.

ACTION: Res. 86-870 adopted (Whiteside/McGrath, unan.) granting the appeal and approving the vesting tentative map without school or traffic signal requirements.  
(Planning & C. D. to handle)

At 6:15 p.m., there was a five minute recess.

9. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Jim Price, to a Planning Commission decision concerning traffic signal participation requirement for P-D(354), San Remo subdivisions, property located on the south side of Coralwood Road, east of McHenry Avenue.

ACTION: Res. 86-871 adopted (Lang/McGrath, majority, Mayor-no) granting the appeal and approving the time extension without the traffic signal requirement.  
(Planning & C. D. to handle)

10. Hearing to consider revised Wall and Fence Standards.

ACTION: Res. 86-872 adopted (Sutton/Muratore, unan.) approving the revised standards.  
(Planning & C. D. to handle)

11. Continued hearing to consider the updating and review of water main connection fees and adding of a fee for those customers tying into the City water system..

(Continued from July 8, 1986 City Council meeting.)

ACTION: Ord. No. 2440-C.S. introduced (Muratore/Patterson, unan.) amending the Modesto Municipal Code relating to water rates and regulations. Ord. No. 2441-C.S. introduced (Muratore/Patterson, unan.) amending the Modesto Municipal Code relating to sanitation and health, sewage collection and disposal rules and regulations. Res. 86-873 adopted (Muratore/Patterson, unan.) adopting revised schedule of fees. (Clerk/Finance to handle)

12. Hearing to consider the annual review of water service fees.

ACTION: Res. 86-874 adopted (Lang/Whiteside, majority, McGrath and Patterson-no) approving recommended fees.

#### WRITTEN COMMUNICATIONS

##### CONSENT

13. Request of Downtown Improvement District to block off parking spaces on "I" Street from 11th to 12th Streets on the Courthouse side, and on 11th and 12th Streets on the Courthouse side, and request for no time limit for on-street parking on Friday, August 29, 1986, for Modesto's 116th Birthday Celebration on the Courthouse lawn. (Motion approving.)

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

14. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

None

#### NEW BUSINESS

15. Report to City Council regarding the "Modesto Community Involved Crime Resistance Program," a new grant project to provide juvenile drug resistance education in local schools. (Memo with agenda. Motion authorizing the Mayor to send letters to City of Modesto school district boards of education members and respective superintendents to encourage financial participation in the grant project needed.)

ACTION: By motion (Sutton/Lang, unan.) Mayor authorized to send letters as recommended. (Police to handle)

16. Motion directing that Lakewood Trunk Sewer Extension and the Sonoma Trunk Sewer be placed on the November 4 ballot for an advisory vote. (Based on Public Projects Committee recommendation, the City Council acknowledged receipt of the Urban Growth Review document and stated that following some resolution of school impacts two sanitary sewer trunk extensions -- the Lakewood Trunk (Briggsmore Avenue to Floyd Avenue) and the Sonoma Trunk (Floyd Avenue to Sylvan Avenue) -- would be placed on the November 4 ballot for an advisory vote. Motion directing that a sanitary sewer trunk extension measure be placed on the November 4 ballot for an advisory vote needed.)

This item was considered after item 5.

ACTION: By motion (Lang/Sutton, unan.), the sanitary sewer trunk extension measure is to be placed on the November 4, 1986, ballot for an advisory vote. (Clerk to handle)

17. Consider accepting report from the Citizen's Advisory Committee on Recycling recommending the development of a comprehensive city-wide recycling program. (Motion acknowledging receipt of report and referring to Council Solid Waste Committee for review and recommendations needed.)

ACTION: By motion, (Lang/Sutton, unan.) receipt of the report was acknowledged, the Committee was thanked, and the report was referred to the Council Solid Waste Committee. (Utility Services to handle)

18. Cut off dates for projects under the School Site and Facilities Fees Act. (Questions have been raised regarding the cut-off date at which time projects will fall under the new fee. The attached memo provides an overview of those projects and the timing of the fee. Motion directing staff needed.)

This item was considered before item 5.

ACTION: By motion (Lang/Muratore, majority, Sutton, Whiteside and Mayor-no), July 1 was set as the cut off date for vesting and nonvesting maps. (Planning & C. D. to handle)

19. Consider proposal to establish plans for time payments by low income individuals for the cost of the contract to connect house sewers. (Memo with agenda. Motion directing staff needed.)

ACTION: By motion, (Lang/Sutton, unan.), staff directed not to set up a new program.

CONSENT

20. Consider approval of an additional supply well for the Modesto Irrigation District Building Expansion heating and cooling system.  
(M.I.D. has requested an additional supply well over the three wells previously approved for the building expansion of its office building at 11th and L Streets. Resolution rescinding Res. No. 86-325 and authorizing M.I.D. to drill four wells needed.)

ACTION: Res. 86-875 adopted rescinding Res. No. 86-325 and authorizing the M.I.D. to drill four wells. (Engineering to handle)

CONSENT

21. Monthly Treasurer's Report for June, 1986.  
(Copies of reports with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

22. Consider acceptance of improvements in Dutch Meadow subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods needed. (Developer: Rule Enterprises).  
(Dutch Meadow subdivision is located south of Snyder Avenue between Dale Road and Prescott Road. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 86-876 adopted accepting improvements. (Clerk to handle)

CONSENT

23. Consider acceptance of improvements in Olympic Village subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Franco Construction)  
(Olympic Village subdivision is located south of Standiford Avenue and east of Shawnee Drive. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 86-877 adopted accepting improvements. (Clerk to handle)

CONSENT

24. Consider approval of application by the Housing Authority for a Preliminary HUD loan for 50 units of low rent housing to be built within City limits.

(HUD requests local jurisdiction approval of the Housing Authority's application to HUD. The Modesto electorate authorized low rent housing in the June 1972 and November 1978 elections, in conformity with State Constitution requirements. Resolution approving application for preliminary loan for low rent public housing needed.)

ACTION: Res. 86-878 adopted approving application for preliminary loan for low rent public housing. (Planning & C. D. to handle)

CONSENT

25. Consider authorizing City Manager to sign Utilities Agreement with State of California Department of Transportation.

(This agreement will allow the Department of Transportation to include with their overlay of Highway 108 (McHenry) from Tokay Avenue to Wells Road, the adjustment of 24 sanitary sewer manhole covers and 33 water valve covers. The City will pay actual contract costs for the adjusting of said covers. Estimated cost: \$9,750. The City will be billed by the Department of Transportation for actual costs. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 86-879 adopted approving agreement (Engineering to handle)

26. Consider actions necessary to implement various employee relations negotiations.

ACTION: Res. 86-880 adopted (Sutton/Whiteside, unan.), approving Memorandum of Understanding with Modesto Police Officers Association.  
Res. 86-881 adopted (Sutton/Whiteside, unan.), authorizing the payment by the City of a portion of sworn Police Department employees' contributions to the Public Employees' Retirement System, including Police management employees.  
Res. 86-882 adopted (Sutton/Whiteside, unan.), authorizing the payment of group health, dental and vision insurance premium rates for the Modesto Police Officers Association, including Police management employees.  
Res. 86-883 adopted (Sutton/Whiteside, unan.) changing the City's self-insured health care plan to increase the deductibles.  
(Manager to handle)

MISCELLANEOUS

CONSENT

27. Legislation: Staff recommends:

Support

a. SB 2169 (Roberti) - Prostitution Law Enforcement

Oppose

b. AB 3945 (Sher) - Correctional Training and Research

c. SB 2173 (Roberti) - Amendments to Brown Act

(Memos and attachments with agenda. Motion accepting staff recommendations needed.)

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

28. Appointments

None

29.

MATTERS TOO LATE FOR THE AGENDA

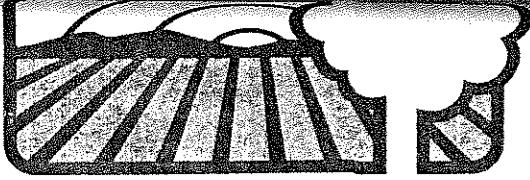
(These may be presented by members of the City Council and staff.)

ACTION: Res. 86-884 adopted (McGrath/Sutton, unan.) calling a special Municipal election on November 4, 1986, for the purpose of filling the vacancy on the Modesto Board of Education, and asking voter consideration of Measure A, a Charter amendment to provide for Planning Commission compensation, and Advisory Measure B, Lakewood and Sonoma sewer trunk extension.  
Res. 86-885 adopted (McGrath/Sutton, unan.) requesting the Stanislaus County Board of Supervisors to consolidate the special election with the general election on November 4.  
Res. 86-886 adopted (McGrath/Sutton, unan.) determining that candidates for election to fill the Board of Education vacancy will be required to pay for candidates' statements.

ADJOURNMENT

Meeting adjourned at 8:06 p.m.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, JULY 22, 1986, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 4, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 24, 25, 26, 28

ACTION: (Lang/Whiteside, unan.)

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

1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger and Vice Mayor Whiteside announced their frogs were not as vigorous as the Merced frogs, during the Children's Crises Center's frog jump contest last Saturday. Mayor Mensinger said that on Saturday, Councilmember Sutton had climbed Mt. Whitney.

### MINUTES

CONSENT

2. Approval of the minutes of the July 15, 1986, regular City Council meeting.  
(Motion approving needed.)

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

UNFINISHED BUSINESS

CONSENT

3. Consider final adoption of:

- a. Ord. No. 2439-C.S. amending the Modesto Municipal Code to allow sidewalk food vendors.
- b. Ord. No. 2440-C.S. amending the Modesto Municipal Code relating to water rates and regulations.
- c. Ord. No. 2441-C.S. amending the Modesto Municipal Code relating to sanitation and health, sewage collection and disposal.  
(Motion adopting ordinances needed.)

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

CONSENT

4. Consider age limitations for elderly housing projects.  
(Staff recommends that the 62 year age minimum, which has been imposed for elderly housing projects be retained. Memo with agenda. Motion reaffirming 62 year age minimum for elderly housing projects needed.)

ACTION: By motion, 62 was reaffirmed as the minimum age for elderly housing projects. (Planning to handle)

HEARINGS

5. Hearing to consider proposed route modifications for Intracity Transit.

ACTION: By motion (Muratore/Sutton, unan.) proposed route modifications approved. (P/T to handle)

6. Hearing to consider amendment to Section 17-3-9 to rezone from R-1 to P-D(407) to allow a four-dwelling development, property located on the east side of Sherwood Avenue, south of Bowen Avenue. (Fred Miller)

ACTION: By motion (Lang/Whiteside, unan.) Ord. No. 2442-C.S. introduced. Res. 86-887 adopted (same vote) approving plan. Res. 86-888 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

7. Hearing to consider an amendment to Section 27-3-9 to rezone from C-1 to R-3 property located on the east side of Santa Barbara Avenue, north of Yosemite Boulevard (Thomas Harrington)

ACTION: By motion (Whiteside/Sutton, unan.) ord. No. 2443-C.S. introduced. Res. 86-889 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

8. Hearing to consider an amendment to Section 29-3-9 of the Zoning Map to repeal P-D(338) and rezone to C-2, property located on the west corner of 10th and N Streets. (Robert Jacobsen)

ACTION: By motion (Sutton/Whiteside, unan.) Ord. No. 2444-C.S. introduced.  
(Clerk to handle)

### BIDS

#### CONSENT

9. Consider approving specifications and authorize call for bids to be opened August 12, 1986, at 3:00 p.m. for furnishing a Wang electronic message system.  
(The system is primarily comprised of personal computers which will interface with the Word Processing Center's Wang network. Combined, the equipment will provide a message system between City Hall and remote locations. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$73,000. Funds are budgeted.)

ACTION: Res. 86-890 adopted calling for bids. (Finance to handle)

#### CONSENT

10. Consider approval of plans and specifications and call for bids for the streets adjacent to Pelandale Park.  
(Suggested bid opening: August 12, 1986, at 11:05 a.m. The work to be done under these specifications shall be grading and paving of half streets adjacent to the Pelandale Park site, installing concrete curb, gutter and storm drainage catch basins with rockwells. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$38,041.57 (contract - \$34,583.25; eng. & cont. - \$3,458.32). Funds are budgeted.)

ACTION: Res. 86-891 adopted calling for bids. (Eng to handle)

#### CONSENT

11. Consider approval of plans and specifications and call for bids for the remodeling of the City Corporation Yard lunch room.  
(Suggested bid opening: August 12, 1986, 11:10 a.m. This work consists of the construction of suspended acoustical ceiling, lighting, miscellaneous other electrical work, mechanical air distribution. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$11,000 (contract - \$10,000; eng. & cont. - \$1,000). Funds are budgeted.)

ACTION: Res. 86-892 adopted calling for bids. (Eng to handle)

CONSENT

12. Consider declaring Dow Hammond Company low bidder meeting City specifications and authorize the purchase of one 1/2 ton pickup for the total price of \$11,699.  
(Memo with agenda. Resolution authorizing the purchase needed. Funds are budgeted.)

ACTION: Res. 86-893 adopted awarding contract. (Finance to handle)

CONSENT

13. Consider award of contract for the construction of handicapped restrooms in T-hangar area and remodel restrooms in Administration Building to allow for handicapped access at the City-County Airport.  
(Memo with agenda. Resolution awarding contract to Pro Builders needed. Estimated cost: \$29,000. Funds are budgeted.)

ACTION: Res. 86-894 adopted awarding contract. (Eng to handle)

CONSENT

14. Consider acceptance of Graham Contractors, Inc. contract for the 1985 Street slurry seals. Original contract: \$435,559.70.  
(All work on this project has been completed to the satisfaction of the Engineering and Utility Services 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: \$481,899.24. Funds are budgeted.)

ACTION: Res. 86-895 adopted accepting work as complete. (Clerk to handle)

CONSENT

15. Consider acceptance of Grover Landscaping's contract for Sipherd Park landscaping and irrigation as complete. Original contract: \$94,068.34.  
(All work on this project has been completed to the satisfaction of the Engineering and Parks and Recreation 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: \$92,815.66. Funds are budgeted.)

ACTION: Res. 86-896 adopted accepting work as complete. (Clerk to handle)

CONSENT

16. Consider accepting Riley's Striping thermoplastic pavement marking contract as complete.  
(Memo with agenda. This contract completes work largely funded by a Federal Highway Administration grant. Over 23,000 square feet of word messages and 62,200 square feet of lines and stripes were installed at a cost of \$163,963. Resolution accepting contract as complete and directing City Clerk to file Notice of Completion needed. Funds are budgeted.)

ACTION: Res. 86-897 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

17. Letter from Thomas H. DeLaMare, DeLaMare-Fultz, appealing the decision of the Environmental Assessment Committee concerning the requirement of an E.I.R. for the Wickford Place vesting tentative map.  
(Resolution setting hearing August 5, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-898 adopted setting hearing. (Clerk to handle)

CONSENT

18. Letter from Donald T. Kan, Mid-Cal Land Development, appealing the decision of the Environmental Assessment Committee concerning the requirement of an E.I.R. for Pinetree Village, Unit No. 2.  
(Resolution setting hearing August 12, 1986, 7:30 p.m. needed.)

ACTION: Res. 86-899 adopted setting hearing. (Clerk to handle)

19.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

None

NEW BUSINESS

CONSENT

20. Consider increasing the Police Department's Special Investigation Revolving Account from \$1,400 to \$2,500.  
(Memo with agenda. Resolution increasing amount needed.)

ACTION: Res. 86-900 adopted increasing amount. (Police to handle)

CONSENT

21. Consider approval of letter agreement with Baldwin & Snapp for legal services for workers' compensation litigation.  
(Memo with agenda. Resolution approving letter agreement needed.)

ACTION: Res. 86-901 adopted approving agreement. (Atty to handle)

CONSENT

22. Consider setting a fine schedule for violating waste discharge permits as provided for by the Modesto Municipal Code, Sewage Collection and Disposal, Section 5-6.13.2(b).  
(Memo with agenda. Resolution setting fine schedule for violating waste discharge permits needed.)

ACTION: Res. 86-902 adopted setting fine schedule. (Utility Serv to handle)

CONSENT

23. Consider resolution of intention to vacate and abandon the 20-foot public alley in Block 105.

(On September 4, 1984, the Council indicated its intention to abandon the alley as requested by McClatchy Newspaper, Inc., to allow expansion of the Modesto Bee, subject to relocation of existing utility lines. Written releases from the utility companies are expected and final abandonment action is requested. A public hearing is required. It is recommended that a resolution of intention be adopted setting August 12, 1986, at 7:30 p.m. as the time for the hearing. Memo with agenda. Resolution setting hearing needed.)

ACTION: Res. 86-903 adopted setting hearing. (Clerk to handle)

CONSENT

24. Consider approving agreement with DKS Associates to design a traffic signal control system for Vintage Faire signals.

(On February 25, 1986, the City Council authorized staff to negotiate this agreement. The resulting agreement calls for DKS to complete their design work by May, 1987, including implementing the design. Cost shall not exceed \$20,350. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 86-904 adopted approving agreement. (P/T to handle)

CONSENT

25. Consider resolution authorizing the execution of documents relating to the issuance of Certificates of Participation through the California Cities Financing Corporation for the purchase of certain equipment and authorizing certain actions with respect thereto.

(At the June 18, 1986, meeting, Council authorized staff to arrange for the issue of Certificates of Participation for financing an equipment package included in the 1986-87 Capital Improvement Program consisting of patrol and detective vehicles, motorcycles, fork lifts, high ranger, water truck, rotary mower, and other general purpose vehicles. The combined cost for these purchase is estimated at \$543,940. The documents which this resolution would authorize staff to execute are customary for a debt issue of this type and similar to those Council has authorized execution of for previous financings. Memo with agenda. Resolution needed.)

ACTION: Res. 86-905 adopted authorizing execution of documents. (Finance to handle)

CONSENT

26. Consider approval of the final map of Dutchollow No. 3 Subdivision of the City of Modesto and accepting the improvements. Developers: Zagaris Management Services, Inc.  
(All improvements have been completed to the satisfaction of the Engineering Department with the exception of a 435 linear foot section of curb, gutter and sidewalk for which a certificate of deposit has been posted. All fees have been paid. Dutchollow No. 3 is located south of Snyder Avenue between Viader Drive and Marsala Way. It contains 25.906 acres. Memo with agenda. Resolution approving final map and accepting improvements as complete needed.)

ACTION: Res. 86-906 adopted approving final map. (Clerk to handle)

27. Consider ordinance amending School Site and Facilities Fees.  
(On July 15, 1986, the Council adopted the School Site and Facilities Fees ordinance. Based on the Council's action, an ordinance should be introduced to amend the School Site and Facilities Fees provisions to exclude from the fee those maps filed previous to July 1, 1986. Introduction of ordinance needed.)

ACTION: By motion (Sutton/Lang, unan.) selected July 1, 1986, as the deadline for determining under CEQA that there are no unmitigated school impacts for vesting tentative maps. (Planning to handle)

MISCELLANEOUS

CONSENT

28. Legislation - Staff recommends:

- a. Support of SCA 34 (Marks), Special Tax. Public Safety Services.
- b. Oppose AB 4415 (Bane), Sales Tax Exemption for Public Agency Purchase.

(Memos and attachments with agenda. Motion approving staff recommendations needed.)

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

29. Appointments

ACTION: Res. 86-907 adopted (Whiteside/Muratore, unan.) reappointing Nick Blom to the Citizens Housing & Community Development Committee; Laura Jett and Arthur Martin to the Housing Maintenance & Counseling Subcommittee; Robert Dinubilo to the Rehabilitation Loan Pool Subcommittee and appointing Gordon Hart to the Citizens Housing & Community Development Committee replacing Balvino Irizarry.

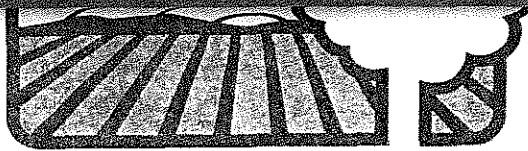
(These may be presented by members of the City Council and Staff.)

None

ADJOURNMENT

The meeting adjourned at 10:37 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 5, 1986, AT 4:00 P.M.

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

Absent: None

Pledge of Allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 7, 8, 14, 15, 16, 17,  
19, 20, 21, 22, 23, 24, 29,  
30, 31, 32, 33, 34, 35, 36, 37, 38,  
39, 40, 41, 42, 43, 44, 46

Dropped from agenda: 18, 28

Removed from consent: 45

ACTION: (Whiteside/Muratore, unan.)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation by the Modesto Police Department Crime Prevention Unit.

Police Officer Dan Inderbitzen presented "T" shirts and caps to the City Council to publicize "National Night Out" on August 12, 1986.

Mayor Mensinger presented Officer Inderbitzen with her proclamation designating August 12, as "National Night Out Day" in Modesto.

MINUTES

CONSENT

2. Approval of the minutes of the July 14, 1986, adjourned regular City Council meeting and the July 22, 1986, regular City Council meeting. (Motion approving needed.)

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

UNFINISHED BUSINESS

3. Emergency Medical Services Task Force Report. (Report requested by Council at their June 24, 1986, meeting. Memo with agenda. Motion accepting report and approving recommendations needed.)

ACTION: By motion (Sutton/Lang, unan.) report accepted and recommendations approved, with a progress report to be made to the City Council. (Fire to handle)

4. Target Industry Study as prepared by The Fantus Company. (Memo with agenda. Motion accepting Target Industry Study needed.)

ACTION: By motion (McGrath/Whiteside, unan.) Target Industry Study accepted.

5. Consider report on the results of Monterey Avenue property owners survey on installation of curbs and sidewalks. (Council had directed staff to survey property owners to determine their sentiments regarding proposed installation of curbs and sidewalks. Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Sutton/Patterson, unan.) staff directed to proceed with the mandatory sidewalk program on Monterey Avenue. (Eng to handle)

CONSENT

6. Consider designating the Fink Road Landfill as the area for a resource recovery facility. (Memo with agenda. Resolution designating the Fink Road Landfill as the area for a resource recovery facility needed.)

ACTION: Res. 85-908 adopted designating Fink Road Landfill area for resource recovery facility. (Utility Services to handle)

CONSENT

7. Consider report from the Culture Commission regarding fee schedule for McHenry Mansion. (This is a follow-up on City Council's request for the Culture Commission to review the potential for non-profit community groups to rent the Mansion for the same rate as cultural groups. It is recommended that there be no change in the fee schedule. Motion accepting report needed.)

ACTION: By motion, report accepted. (P/R to handle)

CONSENT

8. Final adoption of:

- a. Ord. No. 2442-C.S. amending Section Map 17-3-9 of the Zoning Map to rezone from R-1 to P-D(407), property located on the east side of Sherwood Avenue, south of Bowen Avenue. (Fred Miller)
- b. Ord. No. 2443-C.S. amending Section Map 27-3-9 of the Zoning Map to rezone from C-1 to R-3, property located on the east side of Santa Barbara Avenue, north of Yosemite Boulevard. (Thomas Harrington)
- c. Ord. No. 2444-C.S. amending Section Map 29-3-9 of the Zoning Map to repeal P-D(338) and rezone to C-2, property located on the west corner of 10th and N Streets. (Robert Jacobsen & Associates)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

9. Hearing to consider appeal of Thomas Weiss to a Planning Commission decision regarding rezoning from R-3 to P-0, property located at 18th and G Streets.

ACTION: By motion (Muratore/Whiteside, unan.) Ord. No. 2445-C.S. introduced. Res. 86-909 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

10. Hearing to consider appeal of Franco Construction Company to a Planning Commission decision regarding Countryside Meadows No. 2 tentative subdivision map and an appeal of Hart Ransom School District to a decision of the Environmental Assessment Committee regarding Countryside Meadows No. 2 tentative subdivision map.

ACTION: Res. 86-910 adopted (Patterson/McGrath, unan.) denying appeal of Hart-Ransom School District. Res. 86-911 adopted (same vote) granting appeal of Franco Construction Co. and deleting the condition concerning traffic signal fees. (Planning to handle)

11. Hearing to consider appeal of Mid-Valley Engineering, on behalf of Bob Florsheim, to a decision of the Environmental Assessment Committee regarding Live Oak vesting tentative subdivision map.

ACTION: By motion (Lang/McGrath, unan.) hearing continued to August 12, 1986, at 7:30 p.m. (Clerk to handle)

12. Hearing to consider appeal of DeLaMare-Fultz, on behalf of Zagaris Management Services, to a decision of the Environmental Assessment Committee regarding Wickford Place vesting tentative subdivision map.

ACTION: By motion (Muratore/Lang, unan.) hearing continued to August 19, 1986,  
at 4:00 p.m. (Clerk to handle)

13. Hearing to consider an amendment to the Zoning Regulations pertaining to outdoor display, sales and promotions in the Commercial Zones.

ACTION: By motion (McGrath/Patterson, unan.) Ord. No. 2446-C.S. introduced.  
Res. 86-912 adopted (same vote) certifying review of Environmental  
Assessment. (Clerk to handle)

#### BIDS

##### CONSENT

14. Consider approval of plans and specifications and call for bids for the McHenry Museum caterer's kitchen.  
(Suggested bid opening: August 26, 1986, at 11:05 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$22,000 (contract \$20,000; engineering & cont. \$2,000). Funds are budgeted.)

ACTION: Res. 86-913 adopted calling for bids. (Eng to handle)

##### CONSENT

15. Consider approving specifications and authorize call for bids to be opened September 30, 1986, at 3:00 p.m. for furnishing a central communications system(s).  
(Memorandum with agenda. Resolution approving specifications and authorizing call for bids needed. Estimated cost - City portion: \$500,000. Funds are budgeted.)

ACTION: Res. 86-914 adopted calling for bids. (Finance to handle)

##### CONSENT

16. Consider approving specifications and authorize call for bids to be opened August 26, 1986, at 3:10 p.m. for furnishing custom blinds at the Police Department.  
(Requested by the Police Department, the custom blinds will replace the old blinds located at the Police Station. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$6,700; funds are budgeted.)

ACTION: Res. 86-915 adopted calling for bids. (Finance to handle)

##### CONSENT

17. Consider approving specifications and authorize call for bids to be opened August 26, 1986, at 3:00 p.m. for furnishing six used detective sedans.  
(Requested by the Service Division, the cars will be permanently dispatched to the Police Department's Detective Division. The cars will replace six units presently in service. Used cars are specified because of their common appearance and reasonable cost. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$57,000; funds are budgeted.)

ACTION: Res. 86-916 adopted calling for bids. (Finance to handle)

CONSENT

18. Consider award of contract for Project No. 16 - curbs, drive aprons and sidewalks at various locations.  
(Bids were opened on July 22, 1986. The low bid of \$28,522, submitted by Rolfe Construction, is 36.85% below 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.)

Dropped from agenda

CONSENT

19. Consider award of contract for the Water Quality Control Facility building remodeling.  
(Bids were opened on July 29, 1986. The low bid of \$84,807, submitted by Howell Construction, is 5.77% below the engineer's estimate and considered acceptable. It is therefore, recommended that the contract be awarded to Howell Construction. Memo and bid tabulation with agenda. Resolution awarding contract to Howell Construction needed. Funds are budgeted.)

ACTION: Res. 86-917 adopted awarding contract. (Eng to handle)

CONSENT

20. Consider acceptance of Rolfe Construction's contract for the Claus Road water line extension. (Original contract: \$22,765)  
(All work on this project has been completed to the satisfaction of the Engineering and Utility Services Departments. 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: \$22,853. Funds are budgeted.)

ACTION: Res. 86-918 adopted accepting work as complete. (Clerk to handle)

CONSENT

21. Consider acceptance of M & M Electric's contract for street light modernization on 9th Street from "B" to "P" Streets. (Original contract: \$187,781)  
(All work on this project has been completed to the satisfaction of the Engineering and Utility Services Departments. 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: \$221,796.90. Funds are budgeted.)

ACTION: Res. 86-919 adopted accepting work as complete. (Clerk to handle)

CONSENT

22. Consider acceptance of Joe Martin's contract for the Conant Avenue water line extension. (Original contract and final cost: \$19,996)  
(All work on this project has been completed to the satisfaction of the Engineering and Utility Services Departments. 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. Funds are budgeted.)

ACTION: Res. 86-920 adopted accepting work as complete. (Clerk to handle)

CONSENT

23. Consider acceptance of Joe Martin's contract for the Woodland Avenue water line extension from Morse to Blue Gum. (Original contract: \$64,973)  
(All work on this project has been completed to the satisfaction of the Engineering and Utility Services Departments. 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: \$64,514. Funds are budgeted.)

ACTION: Res. 86-921 adopted accepting work as complete. (Clerk to handle)

CONSENT

24. Consider acceptance of Joe Martin's contract for the "K" Street water line extension. (Original contract: \$42,903.70)  
(All work on this project has been completed to the satisfaction of the Engineering and Utility Services Departments. 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: \$49,204. Funds are budgeted.)

ACTION: Res. 86-922 adopted accepting work as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

25. Designation of voting delegate and voting alternate for League Annual Conference in Los Angeles on October 19-22, 1986.  
(Motion designating voting delgate and voting alternate needed.)

ACTION: By motion (Lang/Patterson, unan.) Mayor Mensinger designated as voting delegate and Vice Mayor Whiteside designated as voting alternate. (Clerk to handle)

26. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

None

NEW BUSINESS

27. Proposed contest to name the Community Center.  
(Staff is recommending a contest be held to name the Community Center and has proposed the rules for the contest. Memo with agenda. Motion directing staff. Estimated cost: \$5,200; funds are budgeted.)

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

CONSENT

28. Consider an agreement with Judy Bug's Hallmark Shop to operate a utility pay station at 3430 Tully Road and cancellation of the utility pay station agreement with Tully Manor Floral and Gifts for this location.  
(Memo with agenda. Resolution cancelling the pay station agreement with Tully Manor Floral and Gifts and resolution approving agreement with Judy Bug's Hallmark Shop needed.)

Dropped from agenda

CONSENT

29. Consider requesting proposals to perform annual job audits.  
(Memo with agenda. Resolution authorizing request for proposals to perform annual job audits needed. Estimated cost: \$10,000 - \$15,000. Funds are budgeted.)

ACTION: Res. 86-923 adopted authorizing request for proposals.  
(Manager to handle)

CONSENT

30. Consider approving lease agreement with Pacific Aircraft Services, Inc. for the lease of Hangar No. 3 at the Airport.  
(This is a one-year renewal of an existing lease. Rates are established by resolution of the Council. Pacific Aircraft is presently paying \$362 per month. All other terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 86-924 adopted approving agreement. (Utility Serv to handle)

CONSENT

31. Consider authorizing City Manager to sign a "Property Owner Waiver" for a PG&E weatherization project at the City-owned house at 117 Elm Street.  
(The City has been approached by a private contractor associated with PG&E Project Help, who would like to weatherize the City-owned house at 117 Elm Street. This weatherization will not cost the City or its tenant any money but will reduce the energy consumption to the unit. Memo with agenda. Resolution authorizing City Manager to sign waiver needed.)

ACTION: Res. 86-925 adopted authorizing City Manager to sign waiver.  
(Utility Serv to handle)

CONSENT

32. Consider approving lease agreement with Gallo Glass Company for the lease of Mark Twain Park site.  
(This is a one-year lease of Mark Twain Park site. The lessee will not pay any rent since the property is not irrigated. They will pay for any taxes. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-926 adopted approving agreement. (Utility Serv to handle)

CONSENT

33. Consider approving agreement with David and Diane M. Verissimo for the use of their property for the outfall trunk sewer repair project.  
(The Verissimos have agreed to allow the City's contractor to use their property for \$500. Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 86-927 adopted approving agreement. (Utility Serv to handle)

CONSENT

34. Consider approving lease agreement with Donald H. and Margaret D. Scott for the lease of portions of the former Eula Scott and Hubert Scott properties (Dry Creek Park).  
(This is a one-year renewal of an existing lease. All terms remain the same. The tenant pays 20% of the gross crop proceeds and taxes. Resolution approving agreement needed.)

ACTION: Res. 86-928 adopted approving agreement. (Utility Serv to handle)

CONSENT

35. Consider abandonment of the 5-foot public utility easement in Lot 6 of Block 12353 of the City of Modesto.  
(Memo with agenda. Resolution vacating and abandoning the 5-foot public utility easement in Lot 6 of Block 12353 needed.)

ACTION: Res. 86-929 adopted abandoning utility easement. (Eng to handle)

CONSENT

36. Consider amendment to Section 4-4.502 of the Modesto Municipal Code pertaining to tentative parcel maps.  
(On July 7, 1986, the Planning Commission adopted Resolution 86-125 recommending to the Council an amendment to Section 4-4.502 of the Modesto Municipal Code to increase the filing time for tentative parcel maps from 25 days to 35 days prior to Planning Commission hearing. Memo and Planning Commission Res. No. 86-125 with agenda. Introduction of an ordinance and adoption of a resolution certifying review of Environmental Assessment needed.)

ACTION: By motion, Ord. No. 2447-C.S. introduced.  
Res. 86-930 adopted amending Code. (Clerk/Planning to handle)

CONSENT

37. Consider adoption of Housing Density Bonus Policy.  
(State law allows developers to receive a 25% density bonus or other incentives of equal financial value if 25% of the units constructed are made available for low and very low income households. Staff recommends adoption of a housing density bonus policy. Staff report with agenda. Resolution adopting Density Bonus Policy needed.)

ACTION: Resolution No. 86-931 adopting Housing Density Bonus Policy.  
(Planning to handle)

CONSENT

38. Consider renewal of Inland Marine Policy for all-risk coverage for paintings, antiques, etc., located in the McHenry Mansion, McClure House and City Hall.  
(Memo with agenda. Resolution approving renewal of the Inland Marine Policy with Great American Insurance. Estimated cost: \$4,493. Funds are budgeted.)

ACTION: Resolution No. 86-932 approving renewal of Inland Marine Policy.  
(Attorney to handle)

CONSENT

39. Consider approving the filing of application with the State of California Public Utilities Commission for extension of West Union Avenue across the railroad tracks of the Union Pacific Railroad and appointing signatory officials.  
(The filing of this application and appointing of signatory officials, said officials being the City Manager and City Clerk, is required by the Public Utilities Commission as the first step in extending West Union Avenue across the Union Pacific Railroad tracks. Memo with agenda. Resolution approving the filing of application with the State P.U.C. and appointing City Manager and City Clerk as signatory officials needed.)

ACTION: Resolution No. 86-933 approving filing of application with the State of California Public Utilities Commission. (Engineering to handle)

CONSENT

40. Consider the following amendments to the Position Classification Plan and salary resolution:

Add - Equipment Operator - Backhoe, Sanitary Engineer, Street Maintenance Superintendent and Training Coordinator.

Revise - Equipment Operator, Fire Lieutenant

(Memorandum with agenda. Resolution amending Position Classification Plan needed, and resolution amending alphabetical listing of classifications in the salary resolution needed.)

ACTION: Resolution No. 86-934 approving amending Position Classification Plan.  
Resolution No. 86-935 approving salary schedule. (Mgr to handle)

CONSENT

41. Consider authorizing a public auction to be held August 23, 1986, to sell surplus, lost and stolen unclaimed property, and consider authorizing the closure of the 200 block of Chestnut Street to traffic on August 23, 1986. (Memorandum with agenda. Resolution authorizing a public auction needed, and resolution authorizing the closure of the 200 block of Chestnut Street on August 23, 1986 needed.)

ACTION: Resolution No. 86-936 authorizing a public auction.  
Resolution No.86-937 authorizing closure of the 200 block of Chestnut Street on August 23, 1986.  
(Finance to handle)

CONSENT

42. Budget amendments required to implement the approved memoranda of understanding with the Modesto City Employees Association, Modesto City Fire Fighters Association, and Modesto Police Officers Association and the approved compensation for management and confidential employees. (Memo with agenda. Resolution amending the Fiscal Year 1986-87 Annual Budget to provide for approved compensation adjustments needed.)

ACTION: Resolution No. 86-938 amending FY86-87 Annual Budget to provide for approved compensation adjustments needed. (Finance to handle)

CONSENT

43. Consider approving agreement with Walser Travel Services, Inc., to sell air travel insurance at the Airport.  
This is a one-year renewal of an existing agreement. Walser is allowed to sell mail-in insurance in the terminal. For this, he pays the City 5% of the gross sales with a \$50 per year minimum. Resolution approving agreement needed.)

ACTION: Resolution No. 86-939 approving agreement with Walser Travel Service  
(Utility Serv to handle)

CONSENT

44. Consider flat rate fee for 6" and 8" water meter installations; 10" or larger meters and 10" or larger service installation will be billed at cost.  
(Recently a flat fee was established for 4" water meter installations. Larger meters were charged at cost. The Construction Industry asked that the City establish flat fees for 6" and 8" water meter installations. Memo with agenda. Resolution establishing flat fees for 6" and 8" meter installation and charging cost for 10" and larger meters and service installations needed.)

ACTION: Res. 86-940 adopted establishing fees.  
(Utility Serv/Finance to handle)

45. Consider approving agreement with Modesto Baseball Club, Inc. for the lease of John Thurman Field.  
(This is a one-year renewal of an existing lease. All terms remain the same. The "A's" pay us \$35/game - 10% of concessions and 5% of sign rentals. They also do some of the maintenance. Resolution approving agreement needed.)  
Councilmember Sutton excused due to a conflict of interest.

ACTION: Res. 86-941 adopted (Whiteside/Patterson, unan., Sutton absent) approving agreement. (Utility Services to handle)

CONSENT

46. Consider revising Freeway Maintenance Agreement of February 24, 1970, to reflect changes in the division of maintenance responsibility due to the State abandoning certain portions of streets on the Carpenter/Briggsmore overpass.  
(Recently the State relinquished some areas around the Carpenter/Briggsmore overpass. This agreement defines the maintenance responsibility of the State and City on these streets. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-942 adopted approving agreement. (Utility Serv to handle)

MISCELLANEOUS

47. Appointments

ACTION: Res. 86-943 adopted (Lang/Whiteside, unan.) appointing David Payn to the Board of Personnel Appeals. (Clerk to handle)

48. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

ACTION: By motion (Muratore/Lang, unan.) Council indicated its intention to continue the August 12, hearing on the appeal of Robert Stephens concerning zoning on Woodland Ave. to August 26, 1986, at 7:30 p.m. (Clerk to handle)

CLOSED SESSION

49. Closed session to consider the sale and acquisition of real property.  
(Memo with agenda.)  
Mayor Mensinger excused due to a conflict of interest.

ACTION: A motion to discuss the Strand Theater property in open rather than closed session failed to carry (McGrath/Patterson, Lang, Muratore, Sutton and Whiteside-no, Mensinger absent).

ADJOURNMENT

The meeting adjourned to closed session at 7:10 p.m.

ATTEST:   
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 12, 1986, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 12, 13, 14, 15, 16, 17, .  
18, 20, 21, 22, 23, 24, 25, 26, 27,  
28, 29

ACTION: (Patterson/Whiteside, unan.)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger reminded the audience that this is "National Night Out." She also introduced Cathy Gorham, the City's Public Information Officer.

### MINUTES

#### CONSENT

2. Approval of the minutes of the August 5, 1986, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Further consideration of reducing traffic on La Loma Avenue.  
(Memo with agenda. Stop signs and timing of the La Loma - Santa Ana signals are discussed as well as the speed limit. Motion directing staff and authorizing Mayor to communicate with court regarding speeding tolerances needed.) Vice Mayor Whiteside excused due to a conflict of interest.

ACTION: By motion (Lang/Sutton, unan.) staff directed to proceed with changes in the signal as outlined in option #1, to continue monitoring speed to arrive at a 35 m.p.h. limit, and authorizing the Mayor to send a letter to the judges asking them to reduce the amount of tolerance allowed on speeding citations. (P/T to handle)

4. Response to request for naming a street in honor of Martin Luther King, Jr.  
(Memo with agenda. Staff raises a number of options from not naming any street to preparing a policy prior to any street naming if this is the Council's desire. Motion directing staff needed.)

ACTION: By order of the Chair, staff directed to continue to work with Rev. Clemens and Rev. Taylor. (Planning to handle)

- 4A. Discussion of "Community Assessment Project."  
(Memo from Council Committee with agenda.)

ACTION: By motion (Whiteside/Patterson, unan.) the Council Committee was authorized to ascertain community interest and report back to Council on September 10, 1986. (Manager to handle)

CONSENT

5. Final adoption of:
- a. Ord. No. 2446-C.S. amending Code relating to outdoor displays, sales and promotions.
  - b. Ord. No. 2447-C.S. amending Code relating to tentative parcel maps.
- (Motion adopting needed.)

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

HEARINGS

6. Hearing to consider an amendment to Section 14-3-9 of the Zoning Map to rezone from R-2 to R-1, property located along the south side of Merle Avenue west of Roselle Avenue, extended. (Grant Construction)

ACTION: By motion (Muratore/Whiteside, unan.) Ord. No. 2448-C.S. introduced. Res. 86-944 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

7. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Robert Stephens, to a Planning Commission decision denying an application to rezone from R-1 to R-2, property located on the north side of Woodland Avenue east of Rosemore Avenue.  
(At its meeting on August 5, 1986, the City Council indicated its intention to continue this hearing to August 26, 1986, at 7:30 p.m.)

ACTION: By motion (McGrath/Lang, unan.) hearing continued to August 26, 1986, at 7:30 p.m. (Clerk to handle)

8. Hearing to consider the appeal of Mid-Cal Land Development to an Environmental Assessment Committee decision regarding Pinetree Village Unit No. 2 subdivision.

ACTION: By motion (McGrath/Muratore, unan.) hearing continued to August 26, 1986, at 7:30 p.m. (Clerk to handle)

9. Hearing to consider the appeal of Combs/Godina Engineering, on behalf of Silas Green, to a Planning Commission decision regarding Greensan Estates tentative subdivision map, located on the south side of Rouse Avenue at Mamilane.

ACTION: Res. 86-945 adopted (Muratore/Patterson, unan.) granting appeal and amending Condition 6, and certifying review of Environmental Assessment. (Clerk/Planning to handle)

10. Hearing to consider vacation and abandonment of the 20-foot public alley in Block 105 (McClatchy Newspaper, Inc.)

ACTION: Res. 86-946 adopted (Lang/Whiteside, unan.) vacating and abandoning the alley. (Planning to handle)

11. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Bob Florsheim to a decision of the Environmental Assessment Committee regarding Live Oak vesting tentative subdivision map.  
(Continued from August 5, 1986, City Council meeting.)

ACTION: Res. 86-947 adopted (Whiteside/Lang, unan.) denying the appeal and sustaining the decision of the Environmental Impact Committee. (Planning to handle)

#### BIDS

#### CONSENT

12. Consider approval of plans and specifications and call for bids for the strengthening of water line on "M" Street between 10th Street and 12th Street.  
(Suggested bid opening: August 26, 1986, at 11:10 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$26,168.25 (contract \$25,655.16; contingencies \$513.10). Funds are budgeted.)

ACTION: Res. 86-948 adopted calling for bids. (Eng to handle)

CONSENT

13. Consider approval of plans and specifications and call for bids for installation of Lakewood Park play apparatus.  
(Suggested bid opening: Septmber 2, 1986, at 11:00 a.m. This project will provide for the installation of play apparatus in Lakewood Park. Resolution approving plan and specifications and call for bids needed. Estimated cost: \$42,757 (contract \$38,870; engineering & cont. \$3,887). Funds are budgeted.)

ACTION: Res. 86-949 adopted calling for bids. (Eng to handle)

CONSENT

14. Consider approval of plans and specifications and call for bids for the construction of handicapped restrooms and handicapped ramp at Graceada Park.  
(Suggested bid opening: August 26, 1986, at 11:15 a.m. This project will provide ramps and remodel the men's and women's restrooms at Graceada Park to make them accessible to handicapped persons. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$53,350 (contract \$48,500; engineering & cont. \$4,850). Funds are budgeted.)

ACTION: Res. 86-950 adopted calling for bids. (Eng to handle)

CONSENT

15. Consider approval of plans and specifications and call for bids for the installation of play apparatus in Sipherd Park.  
(Suggested bid opening: September 2, 1986, at 11:05 a.m. This project will provide for the installation of play equipment in Sipherd Park. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$42,207 (contract \$38,370; engineering & cont. \$3,837). Funds are budgeted.)

ACTION: Res. 86-951 adopted calling for bids. (Eng to handle)

CONSENT

16. Consider rejection of bids for the relocation of the Simms house, located on the future site of Dry Creek Park.  
(Bids were opened July 29, 1986. One bid in the amount of \$45,000 was received from Ford Development which was 19.28% above the engineer's estimate and considered unacceptable. Staff recommends the rejection of bids as other avenues are being looked into to achieve the desired end result. Memo with agenda. Resolution rejecting bids needed.)

ACTION: Res. 86-952 adopted rejecting bids. (P/R to handle)

CONSENT

17. Consider rejection of bids for Project No. 16 - curbs, drive aprons and sidewalks at various locations.  
(Memo with agenda. Resolution rejecting bids needed.)

ACTION: Res. 86-953 adopted rejecting bids. (Eng to handle)

17A. Consider approving specifications and authorize call for bids to be opened September 2, 1986, at 3:00 p.m. for graphic image design services. (The Community Center Manager seeks someone to create the graphic image for the Modesto Community Center. The individual will design all start-up elements to include logo, letterhead, brochures, name tags, etc. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$10,500; funds are budgeted.)

ACTION: A motion to not approve the specifications and call for bids did not receive a second.

Res. 86-954 adopted (Lang/Whiteside, majority, McGrath, Patterson - no) calling for bids. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

18. Letter from County of Stanislaus requesting that the City of Modesto agree to changing the designation of its November ballot measures from "A" and "B" to "E" and "F."

(Letter and memo with agenda. Resolution needed.)

ACTION: Res. 86-955 adopted approving change. (Clerk to handle)

19. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

None

NEW BUSINESS

CONSENT

20. Consider directing City Clerk to submit a copy of the proposed Charter amendment concerning Planning Commission compensation, and the advisory measure concerning sewer trunk extensions, both proposed for the November 4, 1986, election, to the City Attorney for preparation of impartial analyses.

(Memo with agenda. Resolution transmitting copies of the proposed Charter amendment and the sewer trunk extensions advisory measure to the City Attorney for impartial analyses needed.)

ACTION: Res. 86-956 adopted transmitting copies of Charter amendment and advisory measure to City Attorney for impartial analyses. (Clerk/Attorney to handle)

CONSENT

21. Consider changing time limits on County Administration Building parking lot (Lot 35).

(Memo with agenda. The City operates this lot for the County. The present meters are 24-minute and 1-hour. The County would like some of the 1-hour meters changed to 3 hours. Resolution changing the time limits on Lot 35 needed. Estimated cost: \$50; funds are budgeted.)

ACTION: Res. 86-957 adopted changing time limits. (P/T to handle)

CONSENT

22. Consider introduction of an ordinance amending Title III, Article 3, Chapter 10, Section 28 of the Modesto Municipal Code relating to vehicle towing.  
(Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2449-C.S. introduced. (Clerk to handle)

CONSENT

23. Consider approval of final map and acceptance of improvements in Orchard Gardens subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Zagaris Management Services  
(Orchard Gardens subdivision is located south of Floyd Avenue and west of Temescal Drive. All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 86-958 adopted approving final map. (Clerk to handle)

CONSENT

24. Consider acceptance of improvements in Shadow Glen East subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Transworld Financial)  
(Shadow Glen East subdivision is located south of Floyd Avenue and east of Oakdale Road. All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 86-959 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

25. Consider authorizing deferment of Orchard Drainage Area fees on two parcels located on the north side of Merle Avenue between Oakdale Road and Walnut Tree Drive.  
(Memo with agenda. Resolution authorizing deferment of Orchard Drainage Area fees needed.)

ACTION: Res. 86-960 adopted authorizing deferment of fees. (Eng to handle)

CONSENT

26. Set hearing to consider an addition to the Zoning regulations regarding satellite antennas.  
(On July 21, 1986, the Planning Commission adopted Resolution No. 86-130 recommending to the Council an addition to the Zoning Regulations to add a new Section 10-2.2332 regarding satellite antennas to clarify the existing regulations and to assure the Modesto Municipal Code complies with FCC ruling on March 14, 1986. Resolution setting hearing Wednesday, September 10, 1986, at 7:30 p.m. needed.)

ACTION: Res. 86-961 adopted setting hearing. (Clerk to handle)

CONSENT

27. Consider authorizing the Director of Finance to request proposals from mailing companies to provide bulk mailing services for the City of Modesto.  
(Memo with agenda. Resolution approving request for proposals for bulk mailing services needed.)

ACTION: Res. 86-962 adopted approving request. (Finance to handle)

CONSENT

28. Consider approval of agreement with E. Gallo to enter portion of Dry Creek Park to excavate a sandbar.  
(Mr. Gallo has met all requirements to perform this project. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-963 adopted approving agreement. (P/R to handle)

MISCELLANEOUS

CONSENT

29. Legislation: Staff recommends:

OPPOSE

- a. AB 2926 (Stirling) - Surplus School Sites
- b. AB 4058 (Vicencial) - Law Enforcement: Gun Permits

(Memos and attachments with agenda. Motion accepting staff recommendations needed.)

ACTION: By motion, recommendations approved.

30. Appointments

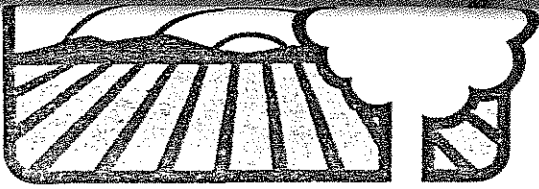
31. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 10:54 p.m.

ATTEST:   
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 19, 1986, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 13, 14, 15, 16, 17, 18, 18A, 19, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 35, 36, 37, 38

Dropped - 22

Removed from Consent: 18A, 23

ACTION: (Lang/Muratore, unan.)

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

### ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation of Distinguished Service Award to Richard L. Belt for service on the Culture Commission.

Mayor Mensinger presented award to Richard Belt.

### MINUTES

#### CONSENT

2. Approval of the minutes of the August 12, 1986, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2445-C.S. granting appeal of Thomas Weiss and rezoning from R-3 to P-0, property located on the south corner of 18th and G Streets.
- b. Ord. No. 2448-C.S. rezoning from R-2 to R-1, property located on the south side of Merle Avenue west of Roselle, extended.
- c. Ord. No. 2449-C.S. amending Sections 3-10.04 and 3-10.28 of Chapter 10 of Title III of the Code relating to towing services.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Hearing to consider the appeal of Stanislaus Union School District to an Environmental Assessment Committee decision regarding Northwood Park vesting tentative subdivision map.  
(A letter has been received from Stanislaus Union School District withdrawing this appeal.)

Appeal withdrawn

5. Hearing to consider the appeals of Stanislaus Union School District and Modesto City Schools to an Environmental Assessment Committee decision regarding Dutchollow No. 4 vesting tentative subdivision map.

ACTION: By motion (Whiteside/Muratore, unan.) hearing continued to August 26, 1986, at 7:30 p.m. (Clerk to handle)

6. Hearing to consider the appeal of Sylvan Union School District and Modesto City Schools to an Environmental Assessment Committee decision regarding Harbor Point vesting tentative map.

ACTION: By motion (Whiteside/Muratore, unan.) hearing continued to August 26, 1986, at 7:30 p.m. (Clerk to handle)

7. Hearing to consider the appeal of Modesto City Schools to an Environmental Assessment Committee decision regarding the Scutt vesting tentative parcel map.

ACTION: By motion (Whiteside/Muratore, unan.) hearing continued to August 26, 1986, at 7:30 p.m. (Clerk to handle)

8. Hearing to consider the appeal of Modesto City Schools to an Environmental Assessment Committee decision regarding the Van Groningen vesting tentative parcel map.

ACTION: By motion (Whiteside/Muratore, unan.) hearing continued to August 26, 1986, at 7:30 p.m. (Clerk to handle)

9. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Jim Thayer, to an Environmental Assessment Committee decision regarding Bluff Creek Estates vesting tentative subdivision map.

ACTION: By motion (Whiteside/Muratore, unan.) hearing continued to August 26, 1986, at 7:30 p.m. (Clerk to handle)

10. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of P & R Enterprises, to an Environmental Assessment Committee decision regarding Woodland Gardens vesting tentative subdivision map.

ACTION: By motion (Whiteside/Muratore, unan.) hearing continued to August 26, 1986, at 7:30 p.m. (Clerk to handle)

11. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Hashem Naraghi, to an Environmental Assessment Committee decision regarding Manor Oak Estates vesting tentative subdivision map.

ACTION: By motion (Whiteside/Muratore, unan.) hearing continued to August 26, 1986, at 7:30 p.m. (Clerk to handle)

12. Hearing to consider appeal of DeLaMare-Fultz, on behalf of Zagaris Management Services, to a decision of the Environmental Assessment Committee regarding Wickford Place vesting tentative subdivision map. (Continued from 8/5/86 Council meeting.)

ACTION: By motion (Whiteside/Muratore, unan.) hearing continued to August 26, 1986, at 7:30 p.m. (Clerk to handle)

#### BIDS

#### CONSENT

13. Consider approval of plans and specifications & call for bids for construction of T-Hangar access road and the terminal apron reconstruction at the City of Modesto City-County Airport. (Suggested bid opening: September 16, 1986 at 11:30 a.m. Resolution approving plans and specifications and call for bids needed. Location map with agenda. Estimated Cost: \$339,816 (Contr. \$33,982; Eng. \$373,798.) Funds are budgeted.)

ACTION: Res. 86-964 adopted calling for bids. (Eng to handle)

CONSENT

14. Consider approving specifications and authorizing the call for bids for furnishing emergency breathing cylinders to be opened on September 16, 1986, at 3:10 p.m.  
(Requested by the Fire Department, the breathing cylinders will be used by firefighters in firefighting, rescue, and other emergency situations where breathing is essential to the protection of the firefighter. Resolution approving specifications and authorizing the call for bids needed. Estimated cost: \$8,000. Funds are budgeted.)

ACTION: Res. 86-965 adopted calling for bids. (Eng to handle)

CONSENT

15. Consider approving specifications and authorize call for bids to be opened September 16, 1986, at 3:00 p.m. for furnishing street trees.  
(Requested by the Parks and Recreation Tree Division, the trees will be nurtured at the Sutter Street nursery and eventually planted as new or replacement trees on City streets. Resolution approving specifications and authorizing the call for bids needed. Estimated cost: \$20,000. Funds are budgeted.)

ACTION: Res. 86-966 adopted calling for bids. (Finance to handle)

CONSENT

16. Consider declaring Triple T Farms low bidder and authorize the purchase of discing services for the total amount of \$14,500.  
(Memorandum with agenda. Resolution authorizing purchase of discing services needed. Funds are budgeted.)

ACTION: Res. 86-967 adopted awarding bid. (Finance to handle)

CONSENT

17. Consider acceptance of Joe Martin Pipeline's contract for the Imperial Avenue waterline strengthening. (Original Contract: \$57,872)  
(All work on this project has been completed to the satisfaction of the Engineering 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. Memo with agenda. Final cost: \$55,162.09. Funds are budgeted.)

ACTION: Res. 86-968 adopted accepting work as complete. (Eng to handle)

CONSENT

18. Consider acceptance of Howell Construction's contract for the construction of shade structures at Downey and Davis Parks. (Original Contract: \$175,119.54)  
(All work on this project has been completed to the satisfaction of the Engineering 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. Memo with agenda. Final cost: \$173,896.22. Funds are budgeted.)

ACTION: Res. 86-969 adopted accepting work as complete. (Eng to handle)

- 18A. Consider acceptance of Graham Contractors' contract for the slurry seal of various City streets - 1986. (Original contract: \$215,674)  
(All work on this project has been completed to the satisfaction of the Engineering 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: \$207,839.48. Funds are budgeted.)  
Councilmember Patterson excused due to a conflict of interest.

ACTION: Res. 86-970 adopted (McGrath/Sutton, unan. Patterson absent) accepting work as complete. (Eng to handle)

#### WRITTEN COMMUNICATIONS

#### CONSENT

19. Request by Cindy Ott for permission to file a late claim in connection with the loss of her drivers' license.  
(Resolution denying request needed.)

ACTION: Res. 86-971 adopted denying request. (Atty to handle)

20. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

Councilmembers Patterson and Whiteside mentioned donations to Forward Modesto Project.

#### NEW BUSINESS

21. Approval of application to HUD for \$50,000 for Fiscal Year 1986 Rental Rehabilitation Program.  
(Memo with agenda. Resolution authorizing application needed.)

ACTION: Res. 86-972 adopted (Sutton/Patterson, unan.) authorizing application. (Planning to handle)

#### CONSENT

22. Consider renewal of agreement with Housing Authority of the County of Stanislaus County for the Rental Rehabilitation Program.  
(Memo with agenda. Resolution approving agreement needed.)

Dropped from agenda

23. Community Development Block Grant Final Statement and Revised Budget Allocations.  
(Memo with agenda. Resolution approving CDBG Final Statement and revised budget needed.)

ACTION: Res. 86-973 adopted (Whiteside/Lang, unan.) approving Final Statement and revised budget. (Planning to handle)

CONSENT

24. Consider approval of an agreement for services with the Housing Authority of the County of Stanislaus.

(Memo with agenda. The Housing Authority will provide the services of two Housing Advisors to support the CDBG programs. Resolution approving agreement needed. Estimated cost: \$37,712. Funds are budgeted.)

ACTION: Res. 86-974 adopted approving agreement. (Planning to handle)

CONSENT

25. Consider approval of Development Agreement for the payment of School Site and Facilities Fees, REDEV, Inc.

(REDEV, Inc. has filed a vesting tentative subdivision map for Pelandale Place (119 condo project) with the City. By this agreement, the developer will voluntarily agree to pay the School Site and Facilities Fees at the time of building permit issuance. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-975 adopted approving agreement. (Planning to handle)

CONSENT

26. Consider approval of Development Agreement for the payment of School Site and Facilities Fees, Park Valley Homes No. 2.

(David L. Epps has filed a vesting tentative subdivision map for Park Valley Homes No. 2 (102 lots and rezone a portion to allow six duplexes) with the City. By this agreement, the developer will voluntarily agree to pay the School Site and Facilities Fees at the time of building permit issuance. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-976 adopted approving agreement. (Planning to handle)

CONSENT

27. Consider agreement with Judy Bug's Hallmark Shop to operate a utility pay station at 3430 Tully Road and cancellation of the utility pay station agreement with Tully Manor Floral and Gifts for this location.

(Resolution approving a pay station agreement with Judy Bud's Hallmark Shop and resolution canceling agreement with Tully Manor Floral and Gifts needed.)

ACTION: Res. 86-978 adopted approving agreement with Judy Bug's Hallmark Shop.  
Res. 86-978A adopted canceling agreement with Tully Manor Floral and Gifts. (Finance to handle)

CONSENT

28. Consider approval of LAFCO Questionnaire for proposed Chicago Avenue No. 2 Reorganization.  
(We have received a letter requesting City approval of an uninhabited annexation proposal. The single parcel proposed is the 5.0 acres immediately east of the Westgate Mobile Home Park on Chicago Avenue, east of Carpenter Road. The owner has applied for rezoning to allow a 42-space expansion of the mobile home park. The owner is preparing the application to LAFCO which requires evidence of City approval and a statement as to whether the City can provide the necessary services. Memo with agenda. Resolution approving LAFCO questionnaire stating no opposition to the proposed Reorganization and requesting LAFCO to authorize Council to proceed without notice, hearing, or election needed.)

ACTION: Res. 86-979 adopted approving LAFCO Questionnaire. (Planning to handle)

CONSENT

29. Consider approval of lease agreement with United Way for rent of rooms at Community Service Center.  
(United way is requesting to lease office space at the Service Center for their campaign fund raising drive. Memo with agenda. Resolution approving lease agreement needed.)

ACTION: Res. 86-980 adopted approving agreement. (P/R to handle)

CONSENT

30. Consider accepting grant for Beyer Community Park Development.  
(The City has been awarded \$330,000 from the California Parks and Recreational Facilities Act of 1984 Regional Competitive Grant Program for the above-mentioned project. Memo with agenda. Resolution accepting grant needed.)

ACTION: Res. 86-981 adopted accepting grant. (P/R to handle)

CONSENT

31. Consider approving agreement with Lewis W. and Gloria E. Lee and Leslie H. and Frances . Lee for the use of their property for the outfall trunk repair project.  
(The Lees have agreed to allow the City's contractor to use their property for \$500. Memo with agenda. Resolution approving agreement needed. Funds are budgeted.)

ACTION: Res. 86-982 adopted approving agreement. (Utility Serv to handle)

CONSENT

32. Consider setting public hearing September 23, 1986, at 7:30 p.m. to consider authorizing five additional Certificates of Public Convenience and Necessity to City Cab Co. (Memo with agenda. The additional certificates were requested by City Cab for growth and backup cars. The fare increase was suggested to help cover the increasing cost of insurance. Resolution setting hearing September 23, 1986, at 7:30 p.m. needed.)

ACTION: Res. 86-983 adopted setting hearing. (Clerk to handle)

CONSENT

33. Monthly Treasurer's Report for July, 1986. Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

35. Consider changing the name of Barium Road to Graphics Drive. (Barium Road extends between Kansas Avenue and Woodland Avenue, east of Freeway 99. It is partially in the City and partially in the unincorporated area. The County recently changed the name of the County portion to Graphics Drive. A corresponding change for the City portion is recommended. Memo with agenda. Resolution changing street name and directing Director of Parking and Traffic to install new street name signs needed. Estimated cost: \$153. Funds are budgeted.)

ACTION: Res. 86-984 adopted changing street name. (Planning/Parking & Traffic to handle)

CONSENT

36. Consider approval of the final map of Edinburgh Plaza Subdivision of the City of Modesto and authorize an agreement with subdividers as required by Section 4-4.604(c) of the Modesto Municipal Code. (Subdividers: John Simvolakis and E. G. Development Company) (The subdivision agreement has been signed and all fees paid. Edinburgh Plaza is located west of El Vecino Avenue and south of East Roseburg Avenue. It contains 4.85 acres. Resolution approving final map needed.)

ACTION: Res. 86-985 adopted approving final map. (Clerk to handle)

CONSENT

37. Report of Superintendent of Streets on the cost of commercial alley reconstruction at various locations listed below. (The cost of improving the alleys will be shared one-third by the property owner(s) of the benefitted property either in cash or over a three year period, one-third by the City of Modesto, and one-third from the Downtown Improvement District funds. Resolution setting hearing September 10, 1986, at 7:30 p.m. needed.)

ACTION: Res. 86-986 adopted setting hearing. (Clerk to handle)

## BLOCK 32

## 7th Street/6th Street - "G" Street/"H" Street

<u>Name</u>	<u>Lot</u>	<u>Amount</u>
Ted M. and Verla J. Thorn & Stanford Cushway	1 - 4	\$ 798.58
Tunney Donabedian	5 - 6	399.29
Tunney Donabedian	7 & 8	399.29
Tunney Donabedian	9 & 10	399.29
Ted M. and Verla J. Thorn & Stanford Cushway	11 & 12	399.29
Mariot J. Dublin * Marian J. Dubin	13 - 26	798.58
Frank M. Cantele	17- 22	1,197.87
Lorenzo Dusi	23 & 24	399.29
Ted M. and Verla J. Thorn & Stanford Cushway	25 & 26	399.29
Ted M. and Verla J. Thorn & Stanford Cushway	27 & 28	399.29
Ted M. and Verla J. Thorn & Stanford Cushway	29 & 32	798.58

BLOCK 107                      14th Street/13th Street - J Street/K Street

<u>Name</u>	<u>Lot</u>	<u>Amount</u>
Green & Azevedo Investments	1 - 3	\$ 598.94
T. W. & Violet E. Salter	4 & 5	399.29
Calvin Moorad, Albert G. Clark & Howard Priest	6 - 8	598.94
Ed Abel, Abel & Ellman	9 - 12	798.58
George S. Gagus, Vance & Victoria Wilson & John T. Burke	13 & 14	399.29
George S. Gagus, Vance & Victoria Wilson & John T. Burke	15 & 16	399.29
Stephen S. Locke	Portion	1,277.01
Leo Valdivia, Teresa Tapia, Jose Luis & Maria De La Luz - Mexico Teatizo	Portion	119.79
Loeb Investment Co., Inc.	24 & 25	399.29
Martin J. Ruddy, III	26 - 32	1,397.52

## BLOCK 109

## Needham Street/"L" Street - 13th Street/14th Street

<u>Name</u>	<u>Lot</u>	<u>Amount</u>
Gary Trimble	Portion	\$ 399.29
William C. Eickhorst	Portion	319.44
Downtown Professional Building, Inc.	Portion	578.97
Hansens, Inc. Employee Pro Share Trust	Portion	598.94
Joseph P. Tinguely, ET AL		
c/o John M. Trimbur, ET AL	17 & 18	399.29
Joseph P. Tinguely, ET AL		
c/o John M. Trimbur, ET AL	19 & 20	399.29
Ellen E. Thomas, ET AL	21 & 22	399.29
David A. Kalunian, ET AL	23 - 26	399.29
Ray E. Houghton Family Trust	27 & 28	798.58
Gertrude A. Leachman, c/o Ronald Van Leachman	29 - 32	371.90
Ray E. Houghton Family Trust	Portion	414.70
Ray E. Houghton Family Trust	Portion	99.82

## BLOCK 114

## 14th Street/15th Street - "H" Street/ "G" Street

<u>Name</u>	<u>Lot</u>	<u>Amount</u>
Donald F. Monaco, Jr.	1 - 4	\$1,597.16
McClatchy Newspapers	5 - 16	4,791.48
Calico Investment	17 - 19	598.94
McClatchy Newspapers	20 - 22	598.94
McClatchy Newspapers	Portion	299.47
McClatchy Newspapers	Portion	299.47
McClatchy Newspapers	26 - 27	399.29
McClatchy Newspapers	28	199.65
Donald F. Monaco, Jr.	29 - 30	399.29
Dons Mobile Glass, Inc.	31 & 32	399.29

## BLOCK 115

## 15th Street/14th Street - "F" Street/ "G" Street

<u>Name</u>	<u>Lot</u>	<u>Amount</u>
Charles & Norma J. Peluso	1 - 4	\$1,597.16
L & M Investment Co.	5 & 6	798.58
Aurora Mallea	7 & 8	798.58
D & L Associates	9 & 10	798.58
Robert L. Hart	11 & 12	798.58
Melvin H. Laikam, Mels Studio/Sweetheart Bridal	13 & 14	798.58
Stanislaus County Employees Federal Credit Union	Portion	798.58
Blvd. Investment Co. of Central Calif.	Portion	998.22
Stanislaus County Employees Federal Credit Union	Portion	998.22
Milpat Partnership	Portion	665.50
American National Red Cross c/o Stanislaus Co. Chapter	Portion	665.50
Daniel Soranno	Portion	332.75
Daniel Soranno	27 & 28	399.29
Raymond Purdy	29 - 32	798.58

MISCELLANEOUS

## CONSENT

38. Legislation - Staff recommends supporting:

- a. AB 4073 (Filante) - Radar on Local Streets.
- b. SB 2735 (Mello) - Emergency Telephone Number Funding.

(Memos and attachments with agenda. Motion accepting staff recommendations needed.)

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

39. Proposition 61 - Gann Pay Limitation Initiative.  
(Memo and attachments with agenda. Resolution opposing Proposition 61 needed.)

ACTION: Res. 86-987 adopted (Lang/Patterson, unan.) opposing Proposition 61.  
(Manager to handle)

40. Appointments

None

41. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

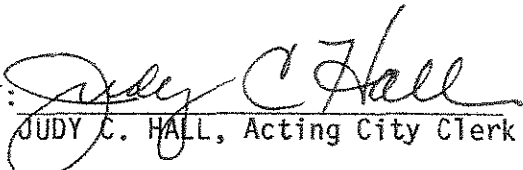
Councilmember Lang requested Council support of Sewer Trunk Extension Advisory Measure F.

ACTION: Res. 86-988 adopted endorsing Measure F (Lang/Sutton, majority.  
Mayor Mensinger-no)

42. CLOSED SESSION  
(Closed session to consider the sale and acquisition of real property.)

ADJOURNMENT

The meeting adjourned at 5:10 p.m.

ATTEST:   
JUDY C. HALL, Acting City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, AUGUST 26, 1986, AT 7:30 P.M.

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

Absent: None  
Councilmember Patterson arrived at 7:48 p.m.

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 18, 19, 20, 21, 22, 24, 25, 27, 28, 29, 30

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

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation by National Guard to Mayor and Councilmembers recognizing support the City has provided to members of the National Guard by allowing the adjustment of work hours.

Major Tim Hodgson presented a plaque to Mayor and Council in appreciation for employer support.

Mayor mentioned waste-to-energy plant ground breaking last Saturday and presented picture of waste-to-energy plant to Council Solid Waste Committee members Lang and Muratore.

MINUTES

CONSENT

2. Approval of the minutes of the August 19, 1986, regular City Council meeting.  
(Motion approving minutes needed.)

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

UNFINISHED BUSINESS

3. Status report on Schools Advisory Committee recommendations and implementation strategies recommended by the Public Projects Committee. (Memo with agenda. Motion acknowledging receipt of report and directing staff needed.)

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

HEARINGS

4. Hearing to consider objections or protests to requirements to construct alley improvements at the following locations:

Block 467	Myrtle-Olive/West. Morris-Coldwell
Block 823	College-Wellesley/Cecil-Exeter
Block 2281	El Vista-Cloverdale/Roble-Haddon
Block 6017-6026	W. Roseburg-Ashwood/Del Rey-Crescent
Block 6043	Tully-Tebbutt/W. Orangeburg-Oakwood
Block 6117	Cypress-Madrone/Arbor-Linwood
Block 6702	Tully-Winning/Bispo-Bowen
Block 6932-6999	Floyd-Rumble/Edward-Westchester
Block 12317-12318	King Richard-Little John/Tuxford-Nottingham
Block 12950	Sunrise/Hampshire
Block 6830-6831	Northgate-Fleetwood/Ridgewood-Sherwood
Block 12921	Sunrise-Langford/Floyd-Charles

(Resolution ordering the work of alley paving needed.)

ACTION: Res. 86-898 adopted (McGrath/Muratore, unan.) ordering work except for Block 6117.

By motion (Whiteside/McGrath, unan.) referred verification of current ownership of properties in Block 6117 to staff to report back next week.

(Engineering to handle)

5. Consider approval of plans and specifications and call for bids for the residential alley paving - Project 13.  
(Suggested bid opening: September 16, 1986, at 11:20 a.m. Memo with agenda. Estimated cost: \$182,000 (contract \$165,525; engineering & cont. \$16,475). Appropriation transfer to be requested later. A budgetary amendment will be requested if needed at the time of award of contract. Resolution approving plans and specifications and call for bids needed.)

ACTION: Res. 85-990 adopted (Whiteside/McGrath, unan.) calling for bids.  
(Engineering to handle)

6. Hearing to consider an amendment to Section 14-3-9 of the Zoning Map to rezone from R-2 to R-1, property located at the northwest corner of Merle Avenue and Walnut Tree Drive. (Grant Construction)

ACTION: By motion (McGrath/Lang, unan.) Ord. No. 2450-C.S. introduced.  
Res. 86-991 adopted (same vote) certifying review of Environmental Assessment.  
(Planning/Clerk to handle)

7. Hearing to consider an amendment to P-D(319) for an office condominium conversion at 500 Coffee Road. (Dr. Peter Nielsen)

ACTION: By motion (Muratore/McGrath, unan.) Ord. No. 2451-C.S. introduced.  
Res. 86-992 adopted (same vote) amending development plan.  
(Planning/Clerk to handle)

8. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Robert Stephens, to a Planning Commission decision denying an application to rezone from R-1 to R-2, property located on the north side of Woodland Avenue east of Rosemore Avenue.  
(Continued from the August 12, 1986 Council meeting.)  
Councilmember Patterson excused due to a conflict of interest.

ACTION: Res. 86-993 adopted (Whiteside/Lang, unan., Patterson absent)  
denying appeal and certifying review of Environmental Assessment.  
(Planning/Clerk to handle)

9. Hearing to consider the appeal of Mid-Cal Land Development to an Environmental Assessment Committee decision regarding Pinetree Village Unit No. 2 vesting tentative subdivision map.  
(Continued from the August 12, 1986 Council meeting.)

ACTION: Res. 86-994 adopted (Patterson/Lang, unan.) approving agreement providing for school impact fees.  
Res. 86-995 adopted (same vote) granting appeal, overruling E.A.C. decision, issuing mitigated negative declaration.  
(Planning/Clerk to handle)

10. Hearing to consider the appeals of Stanislaus Union School District and Modesto City Schools to an Environmental Assessment Committee decision regarding Dutchollow No. 4 vesting tentative subdivision map.  
(Continued from the August 19, 1986 Council meeting.)

ACTION: Res. 86-996 adopted (Whiteside/Lang, unan.) approving agreement providing for school impact fees.  
Res. 86-997 adopted (same vote) granting appeal, overruling E.A.C. decision, issuing mitigated negative declaration.  
(Planning/Clerk to handle)

11. Hearing to consider the appeal of Sylvan Union School District and Modesto City Schools to an Environmental Assessment Committee decision regarding Harbor Point vesting tentative map.  
(Continued from the August 19, 1986 Council meeting.)

ACTION: Res. 86-998 adopted (Lang/Sutton, unan.) approving agreement providing for school impact fees.  
Res. 86-999 adopted (same vote) granting appeal, overruling E.A.C. decision, issuing mitigated negative declaration.  
(Planning/Clerk to handle)

12. Hearing to consider the appeal of Modesto City Schools to an Environmental Assessment Committee decision regarding the Scutt vesting tentative parcel map.  
(Continued from the August 19, 1986 Council meeting.)

ACTION: Res. 86-1000 adopted (Muratore/Lang, unan.) approving agreement providing for school impact fees.  
Res. 86-1001 adopted (same vote) granting appeal, overruling E.A.C. decision, issuing mitigated negative declaration.  
(Planning/Clerk to handle)

13. Hearing to consider the appeal of Modesto City Schools to an Environmental Assessment Committee decision regarding the Van Groningen vesting tentative parcel map.  
(Continued from the August 19, 1986 Council meeting.)

ACTION: Res. 86-1002 adopted (Muratore/Lang, unan.) approving agreement providing for school impact fees.  
Res. 86-1003 adopted (same vote) granting appeal, overruling E.A.C. decision, issuing mitigated negative declaration.  
(Planning/Clerk to handle)

14. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Jim Thayer, to an Environmental Assessment Committee decision regarding Bluff Creek Estates vesting tentative subdivision map.  
(Continued from the August 19, 1986 Council meeting.)

ACTION: By motion (Whiteside/McGrath, unan.) hearing continued to September 23, 1986, at 7:30 p.m. (Clerk to handle)

15. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of P & R Enterprises, to an Environmental Assessment Committee decision regarding Woodland Gardens vesting tentative subdivision map.  
(Continued from the August 19, 1986 Council meeting.)

ACTION: Res. 86-1004 adopted (Whiteside/McGrath, unan.) approving agreement providing for school impact fees.  
Res. 86-1005 adopted (same vote) granting appeal, overruling E.A.C. decision, issuing mitigated negative declaration.  
(Planning/Clerk to handle)

16. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Hashem Naraghi, to an Environmental Assessment Committee decision regarding Manor Oak Estates vesting tentative subdivision map.  
(Continued from the August 19, 1986 Council meeting.)

ACTION: Res. 86-1006 adopted (Whiteside/McGrath, unan.) approving agreement providing for school impact fees.  
Res. 86-1007 adopted (same vote) granting appeal, overruling E.A.C. decision, issuing mitigated negative declaration.  
(Planning/Clerk to handle)

17. Hearing to consider appeal of DeLaMare-Fultz, on behalf of Zagaris Management Services, to a decision of the Environmental Assessment Committee regarding Wickford Place vesting tentative subdivision map.  
(Continued from the August 5, and August 19, 1986 Council meetings.)

ACTION: Res. 86-1008 adopted (Whiteside/McGrath, unan.) approving agreement providing for school impact fees.  
Res. 86-1009 adopted (same vote) granting appeal, overruling E.A.C. decision, issuing mitigated negative declaration.  
(Planning/Clerk to handle)

#### BIDS

#### CONSENT

18. Consider approval of plans and specifications and call for bids for the demolition of buildings in a portion of Block 71.  
(Suggested bid opening: September 16, 1986 at 11:25 a.m. The work includes demolition and removal of buildings and appurtenances, backfilling of excavations and the installation of temporary security fencing in conjunction with future plans for the Police Department renovations. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost, \$44,700 (contr. \$42,500; eng. & cont. \$2,200). Funds are budgeted.)

ACTION: Res. 86-1010 adopted calling for bids. (Eng to handle)

CONSENT

19. Consider approval of plans and specifications and call for bids for the Morse Avenue waterline extension from Woodland Avenue to 800 feet South. (Suggested bid opening: September 10, 1986 at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$20,406 (contr., \$17,460; eng. & cont. \$2,946). Funds are budgeted.)

ACTION: Res. 86-1011 adopted calling for bids. (Eng to handle)

CONSENT

20. Consider approval of plans and specifications and call for bids for the 1986 curb drain repair.  
(This project is being rebid, as we did not receive any bids earlier in the year when bids were originally opened, June 3, 1986. Suggested bid opening: September 10, 1986, at 11:05 a.m. This project will replace existing substandard curb inlets, install one inlet and improve drainage on Burney. Locations have been checked and are not in the vicinity of City Councilmember's or staff's property. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$12,630 (contract \$10,750; engineering & cont. \$1,880). Funds are budgeted.)

ACTION: Res. 86-1012 adopted calling for bids. (Eng to handle)

CONSENT

21. Consider award of contract for the construction of Pelandale Park streets to Genstar Western Stone Products, Inc.  
(The work to be done involves the grading and paving of half streets adjacent to the Pelandale Park site, installing concrete curb, gutter, and storm drainage catch basins with rockwells. Memo and bid tabulation with agenda. Resolution awarding contract to Genstar Western Stone Products, Inc. needed. Estimated cost: \$31,875.38. Funds are budgeted.)

ACTION: Res. 86-1013 adopted awarding contract. (Eng to handle)

CONSENT

22. Consider award of contract for the Corporation Yard lunch room remodeling. (Bids were opened on August 12, 1986. The low bid of \$10,785, submitted by Vernon Taylor & Son, Inc. is 7.85% above the engineer's estimate and considered acceptable. It is recommended the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Vernon Taylor & Sons, Inc. needed. Funds are budgeted)

ACTION: Res. 86-1014 adopted awarding contract. (Eng to handle)

23.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Laurie Carhart spoke about Farmers' Market.  
Councilmember Patterson requested a report on the Library issue.

NEW BUSINESS

CONSENT

24. Consider amendment to Red Top Taxi Dial-A-Ride (DAR) backup contract. (Memo with agenda. The amendment would change amount charged Modesto for DAR backup service and provide for repayment to Modesto of \$1,811 in overcharges. The City's net increased cost would be \$1,702 per year. Resolution approving amendment to agreement needed. Funds are budgeted.)

ACTION: Res. 86-1015 adopted amending agreement. (P/T to handle)

CONSENT

25. Consider approval of an agreement with County of Stanislaus to provide the Modesto Police Department with mental health related services. (Memo with agenda. Resolution approving agreement needed. Estimated cost: \$5,600. Funds are budgeted.)

ACTION: Res. 86-1016 adopted approving agreement. (Police to handle)

26. Consider approving the revised Joint Powers Agreement with Stanislaus County for the operation of the Stanislaus Drug Enforcement Unit. (Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-1017 adopted (Lang/Patterson, unan.) approving agreement. (Police to handle)

CONSENT

27. Consider authorizing City Manager to submit application for federal funding to reconstruct the terminal aircraft parking apron (approximately 11,000 square feet) and relocate the access road (approximately 1,000 feet) with street lighting and electrical gate. (Memo with agenda. Resolution authorizing City Manager to submit application needed. Estimated cost: \$374,000 (FAA \$336,600; City \$37,400). Funds are budgeted.)

ACTION: Res. 86-1018 adopted authorizing submission of application. (Utility Services to handle)

CONSENT

28. Consider request for water service to property outside City limits at 4600 McHenry Avenue, located on the east side of McHenry Avenue between Bangs Avenue and Claratina Avenue. (Owners: William V. and Vita M. Gardner)  
(The property owners have signed an agreement to annex when requested to do so by City. The property is not contiguous; a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 86-1019 adopted approving agreement. (Eng to handle)

CONSENT

29. Consider approval of the final map of Naraghi Lakes No. 3 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: U.S. By-Products and Sharon Naraghi Grcich and Hashem Naraghi).  
(The subdivision agreement has been signed and all fees paid. Naraghi Lakes No. 3 is located at the northwest corner of Hashem Drive and Lakeshore Drive. It contains 3.25 acres. Resolution approving final map needed.)

ACTION: Res. 86-1020 adopted approving final map. (Eng to handle)

CONSENT

30. Consider approval of the final map of Countryside Meadows 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.  
(Subdivider: Franco Construction)  
(The subdivision agreement has been signed and all fees paid. Countryside Meadows is located north of Kansas Avenue at Mercy Avenue. It contains 12.5658 acres. Resolution approving final map needed.)

ACTION: Res. 86-1021 adopted approving final map. (Eng to handle)

MISCELLANEOUS

31. Appointments

ACTION: Res. 86-1022 adopted (Lang/McGrath, unan.) appointing Nicholas Bavaro to the Planning Commission.


32. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

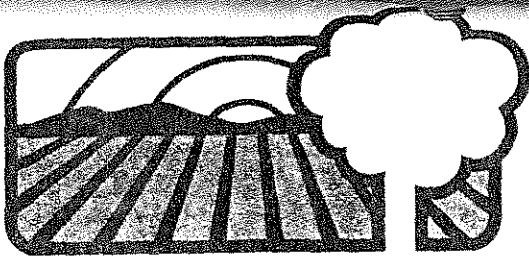
None

ADJOURNMENT

The meeting adjourned at 9:42 p.m.

ATTEST:

  
JUDY C. HALL, Acting City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 2, 1986, AT 4:00 P.M.

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

Absent: Councilmember McGrath

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 4, 5, 6, 8, 9, 10, 11, 12, 13, 18, 19, 20, 21

ACTION: (Sutton/Lang, McGrath absent)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

(This item was considered following Item No. 14)  
Mayor Mensinger introduced the Mayor of Modesto's Sister City of Barranquilla, Columbia, Ramiro Besada Lombano and his wife, Sophia, and Mr. Luis and Dr. Lily Giraldo, Columbian American Association representative. The Mayor and his wife were presented a tray, and the Giraldos with City of Modesto cups, and each received a City of Modesto lapel pin. Mr. Lombano presented the Mayor with a plaque and the Councilmembers a plaque from the City of Barranquilla.

MINUTES

CONSENT

2. Approval of the minutes of the August 26, 1986, regular City Council meeting.  
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Consider report of Director of Engineering on validity of signatures on petition to construct alley improvements in Block 6117.  
(Memo with agenda. Resolution ordering construction of alley improvements needed.)

ACTION: Res. 86-1023 adopted (Whiteside/Sutton, unan., McGrath absent) ordering construction. (Engineering to handle)

BIDS

CONSENT

4. Consider approval of plans and specifications and call for bids for the "K" Street water line strengthening from 8th to 9th Street.  
(Suggested bid opening: September 16, 1986 at 11:35 a.m. This project will increase the fire flows and water pressure in the downtown area. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$44,480 (Contr. \$38,618; Eng. & Cont. \$5,862) Funds are budgeted.)

ACTION: Res. 86-1024 adopted calling for bids. (Engineering to handle)

CONSENT

5. Consider approval of plans and specifications and call for bids for the drilling, casing, testing and development of deep well No. 50.  
(Suggested bid opening: September 23, 1986 at 11:00 a.m. The City of Modesto has located a well site on property at the northwest corner of MID Lateral #6 and Tully Road. The City has title to the property and all necessary egress and ingress easements. Originally, this well was planned for the Snyder/Marsala area; however, location complications and delays in access to the property has prompted the relocation of the site to Tully Road. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$26,160.20 (Contr. \$23,782.20; Eng. & Cont. \$2,378). Funds are budgeted.)

ACTION: Res. 86-1025 adopted calling for bids. (Engineering to handle)

CONSENT

6. Consider award of contract for the construction of handicapped restroom and installation of handicapped ramp at Graceada Park.  
(Memorandum and bid tabulation with agenda. Resolution awarding contract to Howell Construction Company needed. Estimated Cost: \$38,814. Funds are budgeted.)

ACTION: Res. 86-1026 adopted awarding contract. (Engineering to handle)

CONSENT

7. Consider award of contract for the strengthening of water line on "M" Street between 10th and 12th Streets.  
(Memorandum and bid tabulation with agenda. Resolution awarding contract to Joe Martin Pipeline, Inc. needed. Estimated Cost: \$29,465.50. Funds are budgeted.)

ACTION: Res. 86-1027 adopted awarding contract. (Engineering to handle)

CONSENT

8. Consider acceptance of Strata Construction's contract for the Fara Biundo water line extension. (Original Contract: \$15,800)  
(All work on this project has been completed to the satisfaction of the Engineering 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: \$15,160. Funds are budgeted.)

ACTION: Res. 86-1028 adopted accepting work as complete.  
(Engineering to handle)

CONSENT

9. Consider acceptance of Joe Martin Pipeline Inc.'s contract for the Floyd Avenue water line extension. (Original Contract: \$12,871)  
(All work on this project has been completed to the satisfaction of the Engineering 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: \$12,570. Funds are budgeted.)

ACTION: Res. 86-1029 adopted accepting work as complete.  
(Engineering to handle)

CONSENT

10. Consider acceptance of Central Pump's contract for the construction of Pump Station No. 45. (Original Contract: \$76,963)  
(All work on this project has been completed to the satisfaction of the Engineering 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: \$79,951. Funds are budgeted.)

ACTION: Res. 86-1030 adopted accepting work as complete.  
(Engineering to handle)

CONSENT

11. Consider waiving formal bid procedures and issuing a purchase order to Conco West for repair of the storm drain pipe on Tuolumne Boulevard near Fresno Avenue.  
(Memorandum with agenda. Resolution waiving formal bid procedures and issuing purchase order needed. (Five affirmative votes needed.)  
Estimated Cost: \$6,100. Funds are budgeted.)

ACTION: Res. 86-1031 adopted waiving formal bid procedures.  
(Engineering to handle)

WRITTEN COMMUNICATIONS

CONSENT

12. Consider request by Modesto Jaycee's and American Legion Post No. 74 for direct City assistance with a Veteran's Day Parade on November 11, 1986.  
(Motion referring to staff needed.)

ACTION: By motion, referred to staff. (Police/Parks & Rec to handle)

CONSENT

13. Application of Susan D. Siefkin, on behalf of Leon Giaras, for leave to present late claim.  
(Resolution denying application needed.)

ACTION: Res. 86-1032 adopted denying application. (Atty to handle)

14. Letter from Gordon E. Hart, Executive Director of Ecology Action Educational Institute, requesting the institution of a policy of Council neutrality on future advisory measures.

No action taken

15. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

None

Councilmember Sutton left the meeting.

NEW BUSINESS

16. Consider County request for juror transportation assistance.  
(Memo with agenda. Stanislaus County wants to end its transportation of jurors and suggests allowing juror parking on the streets and/or free bus rides for jurors. Motion directing staff needed.)

ACTION: By motion (Lang/Patterson, unan., McGrath and Sutton absent)  
directed staff to call a City-County Transportation Committee  
meeting regarding juror transportation assistance.  
(P/T to handle)

17. Report on library service.  
(Discussion of library situation. Staff report with agenda. Motion accepting staff report needed.)

ACTION: By motion (Lang/Whiteside, majority, Patterson-no, McGrath and Sutton absent) accepted staff recommendations. (Manager to handle)

CONSENT

18. City Manager's Administrative Activities Report, 1985-86  
(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. The 1985-86 City Manager's Administrative Activities Report with agenda. Motion accepting report needed.)

ACTION: By motion, acknowledged acceptance of report.

CONSENT

19. Consider approval of Dutch Meadows Unit No. 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. (Subdivider: Rule Enterprises)  
(The subdivision agreement has been signed and all fees paid. Dutch Meadows Unit No. 2 is located south of Snyder Avenue and east of Marsala Way. It contains 24.588 acres. Resolution approving final map needed.)

ACTION: Res. 86-1033 adopted approving final map. (Clerk to handle)

CONSENT

20. Consider approving agreement with M.I.D. to permit discharge of storm waters from the Modesto Plaza Shopping Center into M.I.D. Lateral No. 7. (In conjunction with development of the Modesto Plaza Shopping Center, the City will maintain a positive storm drain system and pump station. The pump station is adjacent to M.I.D. Lateral No. 7 at Standiford Avenue approximately 900' west of Prescott Road. This agreement allows City to discharge storm waters into M.I.D.'s canal. Resolution approving agreement needed.)

ACTION: Res. 86-1034 adopted approving agreement. (Engineering to handle)

CONSENT

21. Approve request for refund of \$913.49 for overpayment of Business License Tax by Sofa Factory Showroom.  
(Memo with agenda. Resolution authorizing refund needed.)

ACTION: Res. 86-1035 adopted authorizing refund. (Finance to handle)

MISCELLANEOUS

22. Appointments

ACTION: Res. 85-1036 adopted (Whiteside/Lang, unan., McGrath and Sutton absent) approved appointments to the Modesto Arts in Action Committee: Board of Directors Michael Johnson, Peggy Crowther, Sally Melgard, Jeff Broome and Matt Kehoe; and Committee Chairpersons Odessa Johnson, Tommie Stedman, Deborah Bree, Steve Collins and Carl Baggese.

23.

MATTERS TOO LATE FOR THE AGENDA

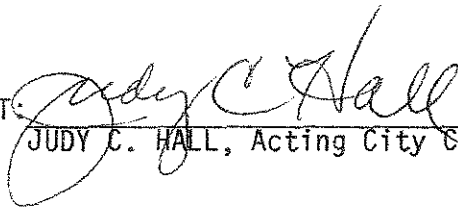
(These may be presented by members of the City Council and staff.)

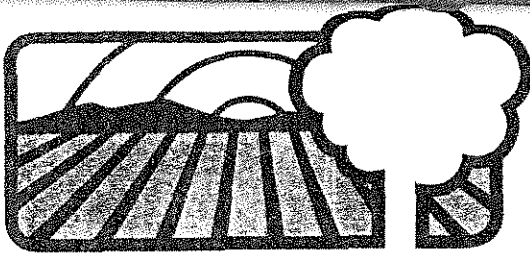
Mayor Mensinger commented on the importance of Cable television being at all Council meetings.

ADJOURNMENT

The meeting adjourned at 6:30 p.m.

ATTEST:

  
JUDY C. HALL, Acting City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF WEDNESDAY, SEPTEMBER 10, 1986, AT 7:30 P.M.

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

Absent: Mayor Mensinger  
Councilmember Patterson arrived at 7:35 p.m.

Pledge of allegiance to the Flag

Invocation: Councilmember Frank Muratore

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

Removed from consent: 17

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

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Presentation by the Building Industry Association of a check, representing the proceeds from the sale of the "24-Hour House" built by the Building Industry Association as a fund raiser, to the McHenry Mansion Foundation for continued restoration of the McHenry Mansion.

\$80,000 check was presented to Mervin Bennett, McHenry Mansion Foundation, by Bud Stone, representing Building Industry Association.

Hot Dog vendor Pinos, presented the Councilmembers with a hot dog.

## MINUTES

### CONSENT

2. Approval of the minutes of the September 3, 1986, regular City Council meeting.  
(Motion approving needed.)

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

## UNFINISHED BUSINESS

3. Committee report on Community Assessment Project - Community interest.  
(Motion authorizing Committee to ascertain community interest and report back on September 10 was adopted at August 12 Council meeting.)

ACTION: By motion (Muratore/Lang, unan., Mayor Mensinger absent) authorized committee to proceed.

### CONSENT

4. Final adoption of:

- a. Ord. No. 2450-C.S. rezoning from R-2 to R-1 property located at the northeast corner of Merle Avenue and Walnut Tree Drive. (Grant Construction)
- b. Ord. No. 2451-C.S. amending P-D(319) for an office condominium conversion at 500 Coffee Road (Dr. Peter Nielsen)

(Motion adopting needed.)

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

## HEARINGS

5. Report of Superintendent of Streets on the cost of commercial alley reconstruction at various locations listed below.  
(The cost of improving the alleys will be shared one-third by the property owner(s) of the benefitted property either in cash or over a three year period, one-third by the City of Modesto, and one-third from the Downtown Improvement District funds.)

<u>Name</u>	<u>Lot</u>	<u>Amount</u>
Ted M. and Verla J. Thorn & Stanford Cushway	1 - 4	\$ 798.58
<u>ACTION:</u>	Res. 86-1037 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Tunney Donabedian	5 - 6	399.29
<u>ACTION:</u>	Res. 86-1038 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Tunney Donabedian	7 & 8	399.29
<u>ACTION:</u>	Res. 86-1039 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Tunney Donabedian	9 & 10	399.29
<u>ACTION:</u>	Res. 86-1040 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Ted M. and Verla J. Thorn & Stanford Cushway	11 & 12	399.29
<u>ACTION:</u>	Res. 86-1041 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Mariot J. Dublin & Marian J. Dubin	13 - 26	798.58
<u>ACTION:</u>	Res. 86-1042 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Frank M. Cantele	17- 22	1,197.87
<u>ACTION:</u>	Res. 86-1043 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)	
Lorenzo Dusi	23 & 24	399.29
PAID		

	Ted M. and Verla J. Thorn & Stanford Cushway	25 & 26	399.29
<u>ACTION:</u>	Res. 86-1044 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	Ted M. and Verla J. Thorn & Stanford Cushway	27 & 28	399.29
<u>ACTION:</u>	Res. 86-1045 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	Ted M. and Verla J. Thorn & Stanford Cushway	29 & 32	798.58
<u>ACTION:</u>	Res. 86-1046 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

BLOCK 107                      14th Street/13th Street - J Street/K Street

	<u>Name</u>	<u>Lot</u>	<u>Amount</u>
	Green & Azevedo Investments	1 - 3	\$ 598.94
<u>ACTION:</u>	Res. 86-1047 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	T. W. & Violet E. Salter	4 & 5	399.29
<u>ACTION:</u>	Res. 86-1048 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	Calvin Moorad, Albert G. Clark & Howard Priest	6 - 8	598.94
<u>ACTION:</u>	Res. 86-1049 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	Ed Abel, Abel & Ellman	9 - 12	798.58
<u>ACTION:</u>	Res. 86-1050 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

George S. Gagus, Vance & Victoria Wilson &  
John T. Burke 13 & 14 399.29

ACTION: Res. 86-1051 adopted (Muratore/Patterson, unan., Mayor Mensinger  
absent) confirming report, assessing costs and directing method of  
collection. (Finance to handle)

George S. Gagus, Vance & Victoria Wilson &  
John T. Burke 15 & 16 399.29

ACTION: Res. 86-1052 adopted (Muratore/Patterson, unan., Mayor Mensinger  
absent) confirming report, assessing costs and directing method of  
collection. (Finance to handle)

Stephen S. Locke Portion 1,277.01

ACTION: Res. 86-1053 adopted (Muratore/Patterson, unan., Mayor Mensinger  
absent) confirming report, assessing costs and directing method of  
collection. (Finance to handle)

Leo Valdivia, Teresa Tapia, Jose Luis &  
Maria De La Luz - Mexico Teatizo Portion 119.79

ACTION: Res. 86-1054 adopted (Muratore/Patterson, unan., Mayor Mensinger  
absent) confirming report, assessing costs and directing method of  
collection. (Finance to handle)

Loeb Investment Co., Inc. 24 & 25 399.29

ACTION: Res. 86-1055 adopted (Muratore/Patterson, unan., Mayor Mensinger  
absent) confirming report, assessing costs and directing method of  
collection. (Finance to handle)

Martin J. Ruddy, III 26 - 32 1,397.52

ACTION: Res. 86-1056 adopted (Muratore/Patterson, unan., Mayor Mensinger  
absent) confirming report, assessing costs and directing method of  
collection. (Finance to handle)

BLOCK 109      Needham Street/"L" Street - 13th Street/14th

<u>Name</u>	<u>Lot</u>
Gary Trimble	Portio

ACTION: Res. 86-1057 adopted (Muratore/Patterson, unan.  
absent) confirming report, assessing costs and  
collection.

	William C. Eickhorst	Portion	319.44
<u>ACTION:</u>	Res. 86-1058 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	Downtown Professional Building, Inc.	Portion	578.97
<u>ACTION:</u>	Res. 86-1059 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	Hansens, Inc. Employee Pro Share Trust	Portion	598.94
<u>ACTION:</u>	Res. 86-1060 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	Joseph P. Tinguely, ET AL c/o John M. Trimbur, ET AL	17 & 18	399.29
<u>ACTION:</u>	Res. 86-1061 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	Joseph P. Tinguely, ET AL c/o John M. Trimbur, ET AL	19 & 20	399.29
<u>ACTION:</u>	Res. 86-1062 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	Ellen E. Thomas, ET AL	21 & 22	399.29
	PAID		
	David A. Kalunian, ET AL	23 - 26	399.29
<u>ACTION:</u>	Res. 86-1063 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	Ray E. Houghton Family Trust	27 & 28	798.58
<u>ACTION:</u>	Res. 86-1064 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

Gertrude A. Leachman, c/o Ronald Van Leachman 29 - 32 371.90

ACTION: Res. 85-1065 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

Ray E. Houghton Family Trust Portion 414.70

ACTION: Res. 85-1066 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

Ray E. Houghton Family Trust Portion 99.82

ACTION: Res. 86-1067 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

BLOCK 114 14th Street/15th Street - "H" Street/ "G" Street

<u>Name</u>	<u>Lot</u>	<u>Amount</u>
Donald F. Monaco, Jr.	1 - 4	\$1,597.16

ACTION: Res. 86-1068 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

McClatchy Newspapers 5 - 16 4,791.48

ACTION: Res. 86-1069 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

Calico Investment 17 - 19 598.94

ACTION: Res. 86-1070 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

McClatchy Newspapers 20 - 22 598.94

ACTION: Res. 86-1071 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

McClatchy Newspapers Portion 299.47

ACTION: Res. 86-1072 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)

	McClatchy Newspapers	Portion	299.47
<u>ACTION:</u>	Res. 86-1073 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	McClatchy Newspapers	26 - 27	399.29
<u>ACTION:</u>	Res. 86-1074 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	McClatchy Newspapers	28	199.65
<u>ACTION:</u>	Res. 86-1075 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	Donald F. Monaco, Jr.	29 - 30	399.29
<u>ACTION:</u>	Res. 86-1076 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	Dons Mobile Glass, Inc.	31 & 32	399.29
<u>ACTION:</u>	Res. 86-1077 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
<u>BLOCK 115      15th Street/14th Street - "F" Street/ "G" Street</u>			
	<u>Name</u>	<u>Lot</u>	<u>Amount</u>
	Charles & Norma J. Peluso	1 - 4	\$1,597.16
<u>ACTION:</u>	Res. 86-1078 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	L & M Investment Co.	5 & 6	798.58
<u>ACTION:</u>	Res. 86-1079 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
	Aurora Mallea	7 & 8	798.58
<u>ACTION:</u>	Res. 86-1080 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

D & L Associates	9 & 10	798.58
<u>ACTION:</u> Res. 86-1081 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Robert L. Hart	11 & 12	798.58
<u>ACTION:</u> Res. 86-1082 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Melvin H. Laikam, Mels Studio/Sweetheart Bridal	13 & 14	798.58
<u>ACTION:</u> Res. 86-1083 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Stanislaus County Employees Federal Credit Union	Portion	798.58
<u>ACTION:</u> Res. 86-1084 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Blvd. Investment Co. of Central Calif.	Portion	998.22
<u>ACTION:</u> Res. 86-1085 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Stanislaus County Employees Federal Credit Union	Portion	998.22
<u>ACTION:</u> Res. 86-1086 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
Milpat Partnership	Portion	665.50
<u>ACTION:</u> Res. 86-1087 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		
American National Red Cross c/o Stanislaus Co. Chapter	Portion	665.50
<u>ACTION:</u> Res. 86-1088 adopted (Muratore/Patterson, unan., Mayor Mensinger absent) confirming report, assessing costs and directing method of collection. (Finance to handle)		

Daniel Soranno	Portion	332.75
PAID		
Daniel Soranno	27 & 28	399.29
PAID		
Raymond Purdy	29 - 32	798.58
PAID		

6. Hearing to consider an addition to the Zoning Regulations regarding satellite antennas to clarify the existing regulations and to assure Code complies with FCC ruling.

ACTION: By motion (Muratore/Lang, unan., Mayor Mensinger absent) Ord. No. 2452-C.S. introduced.

Res. 86-1088-A adopted (same vote) certifying review of Environmental Assessment report. (Planning to handle)

7. Hearing to consider an amendment to Section 12-2-8 of the Zoning Map to repeal the east portion of P-D(252), designated for townhouse condominium and rezone to R-1 and R-3. (Councilmember McGrath excused due to a conflict of interest.)

ACTION: By motion (Lang/Sutton, unan., McGrath and Mayor Mensinger absent) Ord. No. 2453-C.S. introduced. (Planning/Clerk to handle)

#### BIDS

8. Consider Intracity Transit and Dial-A-Ride bid solicitations. (Memo with agenda. Bids are being sought but UMTA has changed the rules and said that our transit employee protections are no longer legal and must be eliminated. Two resolutions eliminating the employee protection provisions from the specifications except for two protected IT employees needed. Estimated Cost: DAR \$545,000 per year; IT \$1,265,000 per year. Funds are budgeted.)

ACTION: By motion (Sutton/Muratore, unan., Mayor Mensinger absent) staff directed to work further with UMTA and return next week with documents. (Parking and Traffic to handle)

9. Consider approval of specifications and call for bids for Community Center theatrical luminaires. (Memo with agenda. Suggested bid opening: October 7, 1986, at 3:00 p.m. Resolution approving specifications and calling for bids needed. Estimated cost: \$60,000. Funds are budgeted.)

ACTION: Res. 86-1089 adopted (Lang/Sutton, majority, McGrath, Patterson-no, Mayor mensinger absent) calling for bids. (Finance to handle)

CONSENT

10. Consider approval of plans and specifications and call for bids for the re-roofing of Office Building No. 2 at the Modesto City-County Airport. (Suggested bid opening: September 30, 1986 at 11:00 a.m. The Airport Administration Building is experiencing leaks and this project will repair the roof. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$14,050 (Contr. \$11,550; Eng. & Cont. \$2,500) Funds are budgeted.)

ACTION: Res. 86-1090 adopted calling for bids. (Eng to handle)

CONSENT

11. Consider approval of plans and specifications and call for bids for the repair and painting of the elevated water tanks. (Suggested bid opening: October 7, 1986 at 11:25 a.m. The elevated water storage tanks located at 17th and G Streets and 10th and D Streets require repair to bring them up to OSHA standards. The interior and exterior surfaces will also be sandblasted and painted. Resolution approving plans and specifications and calling for bids needed. Estimated Cost: \$266,805 (Contr. \$242,550; Eng. & Cont. \$24,255) Funds are budgeted.)

ACTION: Res. 86-1091 adopted calling for bids. (Eng to handle)

CONSENT

12. Consider declaring Coates & Wright Floor Coverings low bidder and authorize the purchase of custom blinds for \$5,627. (Memorandum with agenda. Resolution authorizing purchase of custom blinds from Coates & Wright Floor Coverings needed. Funds are budgeted.)

ACTION: Res. 86-1092 adopted awarding bid. (Finance to handle)

CONSENT

13. Consider award of contract for the McHenry Museum caterer's kitchen addition. (Bids were opened on August 26, 1986. The one and only bid received from Howell Construction is 15.76% above the Engineer's estimate. Bid tabulation and justification submitted by the design architect, Thom Thorvend & Associates, with agenda. Resolution awarding contract to Howell Construction needed. Estimated Cost: \$23,152.00 Funds are budgeted.)

ACTION: Res. 86-1093 adopted awarding contract. (Eng to handle)

14.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Peggy Fields spoke about Library funding.

Councilmember Patterson announced that on September 16, 1986 there will be a celebration of Mexican Independence at Turlock Fairgrounds.

NEW BUSINESS

15. Consider approving amendment to agreement with the Modesto High School District of Stanislaus County for the lease of portions of Dry Creek Park. (This amendment adds a portion of the former Bomberger property to this lease. Memo with agenda. Resolution approving amendment to agreement needed.)

ACTION: Res. 86-1094 adopted (Patterson/McGrath, unan., Mayor Mensinger absent) approving amended agreement. (Utility Serv to handle)

CONSENT

16. Consider joint closing with Stanislaus County of Geer Road Landfill upon successful acceptance of the Waste-to-Energy facility at the Fink Road Landfill. (Memo with agenda. Resolution authorizing closure of Geer Road Landfill needed.)

ACTION: Res. 86-1095 adopted authorizing closure. (Utility Services to handle)

17. Proposed policies and rental rates for the Community Center. (Staff is recommending rates and policies for the Community Center. A detailed report is with agenda. Referral to Culture Commission for their review and recommendation is needed.)

ACTION: By motion (Lang/Sutton, majority, McGrath and Patterson-no, Mayor Mensinger absent) referred to Culture Commission. (Parks & Recreation to handle)

CONSENT

18. Consider acceptance of amended Federal and State construction grants for Water Quality Control Plant improvements and disposal facilities (Unit 1 and Unit 4). (Federal and State grants previously approved were based on engineering cost estimates. The amended grants reflect the actual cost of the project based on bid prices. Memo with agenda. Two resolutions accepting amended Federal Grant and State Grant and authorizing City Manager to execute the grants on behalf of the City needed. Estimated Cost: \$10,383,300 (Federal \$7,787,475; State \$1,297,912; City \$1,297,913). Funds are budgeted.)

ACTION: Res. 86-1096 adopted accepting amended Federal Grant.  
Res. 86-1097 adopted accepting amended State Grant.  
(Utility Services to handle)

CONSENT

19. Consider approval of the final map of Countryside Meadows Unit No. 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: Franco Construction)  
(The subdivision agreement has been signed and all fees paid. Countryside Meadows Unit No. 2 is located north of Kansas Avenue, and east of Yankee Drive. It contains 4.0093 acres. Resolution approving final map needed.)

ACTION: Res. 86-1098 adopted approving final map. (Eng to handle)

CONSENT

20. Consider acceptance of improvements in Whispering Pines subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Joaquin Construction)  
(Whispering Pines Subdivision is located east of Emerald Avenue and north of Maze Boulevard. All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Memo with agenda. Resolution accepting improvements as complete needed.)

ACTION: Res. 86-1099 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

21. Consider abandonment of a portion of the 20-foot access way in Block 13460 of the City of Modesto.  
(Memo with agenda. Resolution vacating and abandoning needed.)

ACTION: Res. 86-1100 adopted abandoning. (Eng to handle)

CONSENT

22. Consider fee adjustment for septic tank dumping at the Wastewater Treatment Plant.  
(Staff has reviewed the current fee schedule and recommends an adjustment in the fees to reflect the increased cost of operation. Memo with agenda. Resolution establishing new fee schedule needed.)

ACTION: Res. 86-1101 adopted establishing new fee schedule. (Utility Services to handle)

CONSENT

23. Consider authorizing City Manager to sign agreement with Robert C. Arthur for drafting services.  
(It is a primary responsibility of the Engineering Department to maintain records of the infrastructure. We have fallen behind in the record-keeping. It is now necessary to contract for drafting services to update water and sewer maps. Resolution approving agreement needed. Estimated cost: \$10,000. Funds are budgeted.)

ACTION: Res. 86-1102 adopted approving agreement. (Eng to handle)

CONSENT

24. Consider joining in amicus curiae briefs in the following cases:

- a. Ned West, Inc. v. City of Costa Mesa
- b. City and County of San Francisco v. Bancroft Enterprises
- c. Jensen v. Stangel
- d. Alyce Jones v. City of Fremont

(Memorandum with agenda. Motion authorizing joining in four amicus curiae briefs needed.)

ACTION: By motion authorized joining in amicus curiae briefs. (Atty to handle)

MISCELLANEOUS

CONSENT

25. Legislation: Staff recommends supporting AB 3368 (Costa) - Distressed Counties.

(Memo with agenda. Motion accepting staff recommendations needed.)

ACTION: By motion, staff's recommendations accepted. (Mgr to handle)

26. Appointments

ACTION: Res. 86-1103 adopted (Patterson/Lang, unan., Mayor Mensinger absent) appointing Mary Armstrong, Mark Azevedo and Pablo Ramero to the Farm-City Advisory Committee. (Mgr to handle)

27.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)


None

CLOSED SESSION

Closed session to consider lease of airport property.

ADJOURNMENT

The meeting adjourned at 9:32 p.m. to Tuesday, September 16, 1986, at 3:00 p.m. in the third floor conference room, Forward Modesto with David Jones.

ATTEST:   
JUDY C. HALL, Acting City Clerk

Adjourned Regular Meeting  
Modesto City Council  
September 16, 1986

The Council of the City of Modesto met pursuant to adjournment at 3:00 p.m. in the Third Floor Conference Room of City Hall, 801 11th Street, Modesto, California.

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

Absent: Councilmembers: None

The Councilmembers met with Consultants David Jones and Dr. Phyllis Clay concerning the Forward Modesto IV timetable. The discussion centered on:

1. Organization and preparation for the project, including estimated budget.
2. Suggesting names of individuals to serve as convenor for the overall steering committee for Forward Modesto IV.
3. Recommended that Bill Seavy of P.G. & E. and Dr. Pamila Fisher of Modesto Junior College be contacted about the convenor position.

The meeting adjourned at 4:00 p.m.

ATTEST: Bonnie Long  
BONNIE LONG, Acting City Clerk

9/16/86



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 16, 1986, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 9, 10, 14,  
15, 16, 17, 18, 19, 20, 21, 22, 23

Dropped from Agenda - 8

ACTION: (Lang/Whiteside, unan.)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. a. Presentation of the California State Automobile Association Grand Award for the American Automobile Association 1986 Pedestrian Protection Program by Mr. Robert J. Cardoza, Board of Director of the California State Automobile Association.

Mr. Robert Cardoza introduced California State Automobile Association representatives and presented award to Mayor Mensinger.

Mayor Mensinger introduced Larry Sheldon, new Fire Chief for the City of Modesto.

- b. Acknowledge receipt of communication and check in the amount of \$952 from Charles M. Spencer for support of the library.

Mayor Mensinger acknowledged receipt of donation and letter from Mr. Spencer with thanks and appreciation.

#### MINUTES

##### CONSENT

2. Approval of the minutes of the September 10, 1986, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

#### UNFINISHED BUSINESS

3. Further consideration of Dial-A-Ride (DAR) and Intracity Transit (IT) employee protection provisions and related matters.  
(Memo with agenda. Addendums to the DAR and IT specifications were prepared to implement the employee protections approved at the 9/10/86 Council meeting, extensions of the existing contracts, and revisions of the dates for the new contracts to begin. Resolutions adopting addendums and authorizing continuation of existing contracts by up to three months needed. Estimated cost: DAR \$545,000 per year; IT \$1,265,000 per year. Funds are budgeted.)

ACTION: Res. 86-1104 adopted (Whiteside/Muratore, unan.) approving addendum to Intracity Transit (IT) specifications.

Res. 86-1105 adopted (same vote) extending Intracity Transit contract.

Res. 86-1106 adopted (same vote) approving addendum to Dial-a-Ride (DAR) specifications.

Res. 86-1107 adopted (same vote) extending Dial-a-Ride contract.  
(Parking and Traffic to handle)

#### BIDS

##### CONSENT

5. Consider approval of plans and specifications and call for bids for the overlay of Tully Road from Standiford Avenue to Palmilla Drive. (FAU Project M-F 216(1)  
(Memo with agenda. Suggested bid opening: October 14, 1986, at 11:00 a.m. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$168,756 (contract \$140,630; engineering & cont. \$28,126). Funds are budgeted.)

ACTION: Res. 86-1108 adopted calling for bids.

(Eng to handle)

CONSENT

6. Consider approval of specifications and call for proposals to develop and operate an eighteen hole golf course at Dry Creek Park.  
(Suggested opening of proposals: October 28, 1986, at 3:00 p.m. This project provides for the leasing of the rights to develop and operate an eighteen hole golf course. Memo with agenda. Resolution approving specifications and call for proposals needed.)

ACTION: Res. 86-1109 adopted calling for bids. (P/R to handle)

CONSENT

7. Consider approving specifications and authorize call for bids for 32 electronic tachographs.  
(Suggested bid opening: October 14, 1986, at 3:00 p.m. Requested by the Police Department, the tachographs will be installed in Police patrol cars to record vehicle idle or speed time, and red light or siren usage. All these factors are critical to proper management of Police fleet operations. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$37,000. Funds are budgeted.)

ACTION: Res. 86-1110 adopted calling for bids. (Finance to handle)

CONSENT

8. Consider declaring Wang Laboratories low bidder and authorize purchase of one Wang Electronic message system for the total amount of \$31,846.  
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

DROPPED FROM AGENDA

CONSENT

9. Consider acceptance of a portion of Homer J. Olsen, Inc.'s contract for the construction of the Wastewater Treatment and Disposal Facilities, Unit No. 2/3 to commence 1-year mechanical warranty period.  
(The construction of the irrigation pump station, reservoir distribution system and tailwater return systems has been completed, as required by contract specifications. Therefore, it is in order to accept this portion of the work as complete and file a Notice of Completion in order to commence the mechanical warranty period. Memo with agenda. Resolution accepting the work as complete and commencing 1-year mechanical warranty period needed. Cost of this portion of the contract: \$9,699,749.63. Funds are budgeted.)

ACTION: Res. 86-1111 adopted accepting contract as complete. (Eng to handle)

WRITTEN COMMUNICATIONS

CONSENT

10. Set hearing to consider the appeal of Mid-Valley Engineering, on behalf of Resource Development, to a Planning Commission decision regarding Northwood Park subdivision.  
(Resolution setting hearing October 7, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-1112 adopted setting hearing. (Clerk to handle)

11.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Sandra Fields read a statement by Mrs. Peggy Fields, President of Friends of the library.

Carol Di Piero spoke about library funding.

Connie Basher, Memorial Hospitals Association, announced national video teleconference entitled "Who Lives, Who Dies, Who Defies?" on Wednesday, September 24, 1986, at 10:00 at Memorial Hospital Medical Center on Coffee and Briggsmore.

Kathryn Gilliam talked about cable television system changes.

A motion (Patterson/McGrath) to direct staff to find resources of \$651,000 to finance library for rest of fiscal year failed to carry.

NEW BUSINESS

12. Designation of Voting and Alternate Voting Delegates, Annual Congress of Cities, November 29 - December 3, 1986, San Antonio, Texas.

ACTION: By motion (Lang/Whiteside, unan.) Mayor Mensinger was designated Voting Delegate, and Councilmember Sutton Alternate Voting Delegate.

13. Consider letters of intent from prospective Transportation Center tenants. (Memo with agenda. Letters are from Trailways and Storer. County has decided not to be a tenant. Resolutions approving letters or motion directing staff needed.)

ACTION: Res. 86-1113 adopted (Lang/Muratore, unan.) approving letter of intent from Trailways.

Res. 86-1114 adopted (same vote) approving letter of intent from Storer. (Parking and Traffic to handle)

CONSENT

14. Consider introduction of an ordinance to amend Section 4-1.1004 of Chapter 1 of Title IV of the Modesto Municipal Code relating to charitable bingo games.  
(Memo with agenda. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2454-C.S. introduced.

CONSENT

15. Consider approval of development agreement with Rule Enterprises for the payment of School Site and Facilities Fees for Paradise Estates subdivision.  
(Rule Enterprises has filed a vesting tentative subdivision map for Paradise Estates ((82 R-1 zoned lots on a 14.3 acre site) with the City. By this agreement, the developer will voluntarily agree to pay the School Site and Facilities Fees at time of building permit issuance. Memo with agenda.)

ACTION: Res. 86-1115 adopted approving agreement. (Planning to handle)

CONSENT

16. Consider approving agreement with Caltrans providing a 90% grant to install additional guardrail on Tuolumne Boulevard on the east side of the Freeway 99 undercrossing.  
(Memo with agenda. Guardrail was initially installed in the 1970's and has proven beneficial. Additional guardrail is proposed to further enhance safety. Resolution approving agreement needed. Estimated cost: \$24,000. Funds are budgeted.)

ACTION: Res. 86-1116 adopted approving agreement. (P/T to handle)

CONSENT

17. Consider amending current fiscal year budget to operate new Police Department grant which provides drug education in the City's five junior high schools.  
(Memo with agenda. Resolution amending budget needed. Estimated cost: \$46,797.)

ACTION: Res. 86-1117 adopted amending budget. (Finance to handle)

CONSENT

18. Consider authorizing City Manager to sign Supplemental Agreement with the State of California Department of Transportation for the construction of the Tully Road canal crossing at M.I.D. Lateral No. 6.  
(This agreement provides for the obtaining of Federal funds for the above-mentioned project. Memo with agenda. Resolution approving Supplemental Agreement needed.)

ACTION: Res. 86-1118 adopted approving agreement. (Eng to handle)

CONSENT

19. Consider authorizing City Manager to sign agreement with Kenneth Diehl for reimbursement of sewer fees on Spencer Avenue.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-1119 adopted approving agreement. (Eng to handle)

CONSENT

20. Consider authorizing City Manager to sign agreement with Bright Development for storm drainage maintenance.  
(Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-1120 adopted approving agreement. (Eng to handle)

CONSENT

21. Consider request for water service to property outside City limits at 115 Lone Palm Avenue located between Emerald Avenue and Kansas Avenue.  
(Owners: Pacific Coast Building Products, 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 limits, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 86-1121 adopted approving agreement. (Eng to handle)

CONSENT

22. Consider request for sewer service to property outside City limits at 627-1/2 Roselawn Avenue, located on the East side of Roselawn Avenue between South Avenue and Rouse Avenue. Owners: John Elsumeri and Fithia Elsumeri.  
(The property owners have signed an agreement to annex when requested to do so by City. The property is contiguous to the City limits, and a line exists to serve it. No City funds are involved. Resolution approving agreement needed.)

ACTION: Res. 86-1122 adopted approving agreement. (Eng to handle)

CONSENT

23. Consider amended Access and Maintenance agreement pertaining to property owned by Michael and Marilyn Carney and Eunice Sprague and located on the east side of Dale Road, north of Veneman Avenue.  
(Vehicular accessways to allow common use of on-site driveways were established by an agreement recorded in 1981. Revised development plans for the property were recently approved which require relocation of accessways. An amended Access and Maintenance agreement has been prepared and signed by the property owners. (Map with agenda.) Resolution approving amended agreement needed.)

ACTION: Res. 86-1123 adopted amending agreement. (Eng to handle)

CONSENT

24. Consider approval of development agreement with Bennett and Compton, Inc. for the payment of School Site and Facilities Fees.  
(Bennett and Compton, Inc. has filed a vesting tentative subdivision map for Honey Creek Villas (26 lots on a 3.45 acre parcel with the City. By this agreement, the developer will voluntarily agree to pay the School Site and Facilities Fees at time of building permit issuance. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-1124 adopted approving agreement. (Planning to handle)

MISCELLANEOUS

25. Appointments

None


26. MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

Councilmember Whiteside announced receiving a letter and \$250 donation from Acting Chief Cheney regarding the Forward Modesto Project.

ADJOURNMENT

The meeting adjourned at 5:27 p.m. to the Third Floor Conference Room to continue discussion of Forward Modesto Project.

ATTEST:   
JUDY C. HALL, Acting City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, SEPTEMBER 23, 1986, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 10, 11, 12, 13, 14, 15,  
Removed from Consent: 20 16, 17, 18, 21, 22, 23, 24, 25,  
26, 27, 28, 29, 30, 31

ACTION: (Lang/Muratore, unan.)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger commented that the Forward Modesto Project is underway, that the convenors are Bill Seavy and Dr. Pam Fisher, and the steering committee is being selected.

### MINUTES

#### CONSENT

2. Approval of the minutes of the adjourned regular meeting and regular City Council meeting of September 16, 1986.  
(Motion approving needed.)

ACTION: By motion, the minutes were approved.

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2452-C.S. adding Section 10-2.2332 to Title X of the Modesto Municipal Code relating to satellite antennas.
- b. Ord. No. 2454-C.S. amending the Municipal Code relating to application for permit to operate bingo games.

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

4. Ord. No. 2453-C.S. repealing a portion of P-D(252) and rezoning to R-1 and R-3, property located between Veneman Avenue and Prescott Road, north of M.I.D. Lateral No. 7. (Regency Park)  
(Councilmember McGrath will be excused due to a conflict of interest.)  
(Motion adopting needed.)

ACTION: By motion (Whiteside/Sutton, unan., McGrath absent) ordinance adopted.

HEARINGS

5. Hearing to consider authorizing five additional Certificates of Public Convenience and Necessity to City Cab Company and to increase fares.

ACTION: By motion (Muratore/Lang, unan.) Ord. No. 2455-C.S. introduced. increasing fares.  
Res. 86-1125 adopted (same vote) granting request of City Cab Company. (P/T to handle)

6. Hearing to consider appeal of Mid-Valley Engineering, on behalf of Jim Thayer, to Environmental Assessment Committee decision regarding Bluff Creek Estates vesting tentative map.  
(Continued from August 19 and 26, 1986, City Council meetings.)

ACTION: By motion (Whiteside/McGrath, unan.) acknowledged withdrawal of appeal.

7. Hearing to consider proposed amendment to Sections 2-3-8 and 3-3-8 of the Zoning Map to rezone from R-3 to R-1, property located on the northeast side of Sisk Road at Akeby Drive. (Zagaris Management Services)

ACTION: By motion (Lang/Patterson, unan.) Ord. No. 2456-C.S. introduced approving rezoning.  
Res. 86-1126 adopted (same vote) certifying review of Environmental Assessment. (Planning/Clerk to handle)

8. Hearing to consider proposed amendment to Section 31-3-9 of the Zoning Map to prezone to P-D(187) as an addition to P-D(187), property located on the north side of Chicago Avenue east of Carpenter Road to allow a 42-space mobile home addition. (Norman Winsor)

ACTION: By motion (Muratore/Sutton, unan.) Ord. No. 2457-C.S. introduced approving pre zoning.  
Res. 86-1127 adopted (same vote) approving development plan.  
Res. 86-1128 adopted (same vote) certifying review of Environmental Assessment. (Planning/Clerk to handle)

9. Hearing to consider the proposed amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 to P-D(409) to allow one and two-story triplexes on each of 10 lots on property located on the north side of East Orangeburg Avenue, west of Santa Paula Drive. (Ronald Earl)

ACTION: By motion (McGrath/Whiteside, unan.) approved continuance of hearing to October 14, 1986, at 7:30 p.m.

#### BIDS

##### CONSENT

10. Consider award of contract for the Morse Avenue water line extension. (Memo with agenda. Resolution awarding contract to Bond Construction needed. Estimated Cost: \$13,580. Funds are budgeted.)

ACTION: Res. 86-1129 adopted awarding contract. (Eng to handle)

##### CONSENT

11. Consider award of contract for the 1986 curb drain repair to George Reed, Inc. (Memo and bid tabulation with agenda. Resolution awarding contract needed. Estimated Cost: \$15,165. Funds are budgeted.)

ACTION: Res. 86-1130 adopted awarding contract. (Eng to handle)

##### CONSENT

12. Consider award of contract for alley paving project No. 13 to George Reed, Inc. (Memo and bid tabulation with agenda. Resolution awarding contract needed. Estimated Cost: \$178,680. Funds are budgeted.)

ACTION: Res. 86-1131 adopted awarding contract. (Eng to handle)

##### CONSENT

13. Consider award of contract for the demolition of buildings in portion of Block No. 71 to Modesto Sand and Gravel. (Memo and bid tabulation with agenda. Resolution awarding contract needed. Estimated Cost: \$41,726. Funds are budgeted.)

ACTION: Res. 86-1132 adopted awarding contract. (Eng to handle)

CONSENT

14. Consider award of contract for the installation of play apparatus in Lakewood Park to Tri-County Builders.  
(Memo and bid tabulation with agenda. Resolution awarding contract needed. Estimated Cost: \$44,258. Funds are budgeted.)

ACTION: Res. 86-1133 adopted awarding contract. (Eng to handle)

CONSENT

15. Consider award of contract for the Sipherd Park play apparatus installation to Tri-County Builders.  
(Memo and bid tabulation with agenda. Resolution awarding contract needed. Estimated Cost: \$39,165. Funds are budgeted.)

ACTION: Res. 86-1134 adopted awarding contract. (Eng to handle)

CONSENT

16. Consider declaring Orange County Nursery low bidder and authorize the purchase of street trees for the total price of \$8,738.10.  
(Memorandum with agenda. Resolution awarding bid needed. Funds are budgeted.)

ACTION: Res. 86-1135 adopted awarding bid. (Finance to handle)

CONSENT

17. Consider waiving formal bid procedures and authorize the issuance of a purchase order to J. R. Rasmussen Construction for planing of curbs at various locations.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing issuance of purchase order needed. Estimated Cost: \$15,000. Funds are budgeted. Five affirmative votes needed.)

ACTION: Res. 86-1136 adopted waiving formal bid procedures. (Eng to handle)

CONSENT

18. Consider acceptance of Bond Construction Company's contract for the Morse Avenue water line extension. (Original contract: \$15,840)  
(All work on the above project has been completed to the satisfaction of the Engineering Department. Therefore it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting as complete needed. Final Cost: \$15,360.00. Funds are budgeted.)

ACTION: Res. 86-1137 adopted accepting as complete. (Eng/Clerk to handle)

19.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Michael Garcia spoke about Affirmative Action. Staff to update in 3-4 weeks.

Councilmember Patterson commented on Library funding.

NEW BUSINESS

20. Consider approval of contract with Ralph Anderson & Associates to perform annual job audit.  
(Memo with agenda. Resolution approving agreement needed. Estimated Cost: \$10,360. Funds are budgeted.)

This matter continued to the October 7, 1986 Council meeting.

CONSENT

21. Consider approval of grant application under the California Parks and Recreational Facilities Act of 1984 - Historical Preservation Program for electrical and mechanical systems on the McHenry Mansion second and third floors.  
(Competitive grants are available under this State grant program. Since the above-mentioned project meets the program's criteria, staff recommends application for \$102,000. If approved by the State, a \$50,000 match is required. Resolution authorizing filing of an application needed.)

ACTION: Res. 86-1138 adopted authorizing filing of application.  
(Parks & Recreation to handle)

CONSENT

22. Consider approval of grant application under the California Parks and Recreational Facilities Act of 1984 - Regional Competitive Program, for installation of play equipment at Wesson Ranch Park.  
(Competitive grants are available under this State grant program. Since the above-mentioned project meets the program's criteria, staff recommends application for \$44,000. No local match is required. Resolution authorizing filing of an application needed.)

ACTION: Res. 86-1139 adopted approving filing of grant application.  
(Parks & Recreation to handle)

CONSENT

23. Consider approving grant agreement for federal funding to reconstruct the final phase of the terminal aircraft parking apron and the relocation of the general aviation access road to the T-hangar area at the Airport.  
(On June 6, 1985, the Council approved the submission of a preapplication to the FAA for the above projects. The tentative allocation has been approved. Memo with agenda. Resolution authorizing City Manager to execute the grant agreement needed. Estimated Cost: \$290,210 (Federal \$261,190; City \$29,020) Funds are budgeted.)

ACTION: Res. 86-1140 adopted approving grant agreement.  
(Utility Services to handle)

CONSENT

24. Monthly Treasurer's Report for August, 1986.  
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: Acknowledged receipt of report.

CONSENT

25. Consider approving recommendation to change the T-hangar lease policy to reflect the definition of an aircraft.  
(Memo with agenda. Motion approving revision of policy needed.)

ACTION: By motion, approved revision to policy  
(Utility Services/Clerk to handle)

CONSENT

26. Consider approving agreement with Caltrans to construct traffic signal and street lighting at the intersection of McHenry Avenue (State Highway 103) and Union Avenue.  
(Memo with agenda. The project is estimated to cost \$131,006, with a 15% overrun allowed by the agreement (potential cost \$150,657). Costs will be shared, 50% City and 50% State. Resolution approving agreement needed. Estimated Cost: \$65,503. Funds are budgeted.)

ACTION: Res. 86-1141 adopted approving agreement. (P/T to handle)

CONSENT

27. Appointment of persons to act as City Attorney during the absence or disability of the City Attorney.  
(Memo with agenda. Adoption of a resolution needed.)

ACTION: Res. 86-1142 adopted appointing person to act as City Attorney.  
(Attorney to handle)

CONSENT

28. Consider modifying speed limits on La Loma and other streets.  
(Memo with agenda. One updated and one new radar-enforceable speed limit are proposed. Modification of two old radar-enforceable speed limits to 25 mph non-radar-enforceable speed limits are also proposed. Introduction of an ordinance amending Municipal Code Section 3-2.1401.1 needed.)

2458-C.S.

ACTION: By motion, ordinance/introduced modifying speed limits.  
(Parking and Traffic to handle)

CONSENT

29. Consider authorizing City Manager to sign agreement for reimbursement of sewer fees on Orangeburg Avenue from Held Drive, westerly 778 feet. (Dry Creek Investments has installed an 8" vitrified clay pipe sanitary sewer lateral and appurtenances in Orangeburg Avenue. Owner has requested reimbursement of the sewer lateral charges received for service connections to said lateral. City has inspected the construction of said sewer lateral and accepted the sewer lateral as part of the City's sewer system. Resolution approving agreement needed. Estimated Cost: \$6,298.73. Funds are budgeted.)

ACTION: Res. 86-1143 adopted approving agreement.

(Eng to handle)

MISCELLANEOUS

CONSENT

30. Proposition 64 - La Rouche Acquired Immune Deficiency Syndrome (AIDS) Initiative. (Memo with agenda. Resolution opposing Proposition 64 needed.)

ACTION: Res. 86-1144 adopted opposing Proposition 64.

(Mgr to handle)

CONSENT

31. Legislation - Staff recommends:

Oppose

S 2706 - Mandatory State & Local Government Medicare Coverage

Support

Federal Bipartisan Omnibus Anti-Drug Bill

(Memos and attachments with agenda. Motion accepting staff recommendations needed.)

ACTION: By motion, staff recommendations accepted.

32. Appointments

None

33. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

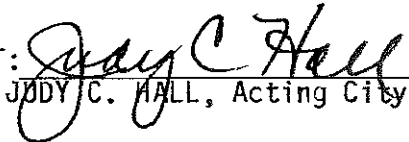
None

CLOSED SESSION

34. Closed session to consider the acquisition of real property.

ADJOURNMENT

The meeting adjourned at 9:25 p.m. to a closed session, then to 6:00 p.m., Wednesday, September 24, 1986, at 5:00 p.m. in the City Hall Multi-Purpose Room for a joint study session with the Planning Commission on the proposed Circulation Element.

ATTEST:   
JUDY C. HALL, Acting City Clerk

Adjourned Regular Meeting  
Joint Modesto City Council and  
Planning Commission Meeting  
September 24, 1986

The Council of the City of Modesto met pursuant to adjournment at 6:00 p.m. in the Multipurpose Room of City Hall, 801 11th Street, Modesto, California, in joint session with the Planning Commission of the City of Modesto. The meeting convened at 6:15 p.m.

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

Planning Commissioners Bavaro, Davis, Irizarry, Fleming, Hart,  
Gallagher, and Shaffer

Absent: None

The Councilmembers met with members of the Modesto Planning Commission to discuss the Circulation Element of the Modesto Urban Area General Plan in accordance with six handouts which covered the following topics:

Expressway Loop

New Major Streets

Bridges

Freeway 99 Improvements

Redirected Traffic in Neighborhoods, Increase Major Street Efficiency

Broaden Funding for the Street System

Other topics briefly mentioned were:

Transit

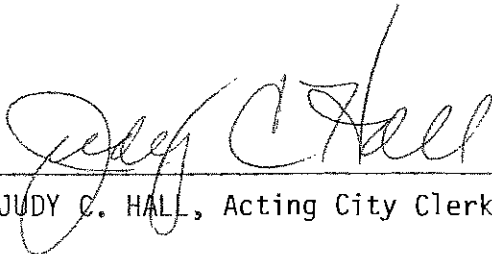
Railroads

Bicycles

Air Service

The meeting adjourned at 9:20 p.m.

ATTEST:



JUDY C. HALL, Acting City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 7, 1986, AT 4:00 P.M.

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

Absent: Sutton

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 10, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 27, 28, 29, 33, 34, 35, 36, 37, 39, 40, 41, 42, 43, 44, 45, 46, 48, 49, 50, 51

Dropped from Consent: 38

Dropped from Agenda: 11

ACTION: (Whiteside/Lang, unan.)

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Mayor Mensinger introduced leaders and members of Pack 112, Webelos Den, Boy Scouts.

### MINUTES

#### CONSENT

2. Approval of the minutes of the September 23, 1986, regular City Council meeting and the September 24, 1986, adjourned regular City Council meeting.

(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Staff response to comment concerning the City's Fiscal Year 86-87 Budget made by Peggy Fields at her appearance before the the Council on September 10th.  
(Report with agenda. Motion accepting report needed.)

ACTION: By motion (Lang/Whiteside, unan., Sutton absent) accepted staff recommendations.

4. Accept staff report and recommendations for participating in library funding for the current year.  
(Memo with agenda. Motion accepting staff recommendations needed.)

ACTION: By motion (Lang/Whiteside, unan., Sutton absent) staff recommendations accepted.

Res. 86-1145 adopted (Muratore/Whiteside, majority, Patterson-no, Sutton absent) authorizing contribution and accepting schedule as changed.  
(Manager to handle)

5. Consider approval of contract with Ralph Anderson & Associates to perform annual job audit. (Carried over from September 23, 1986 City Council meeting.)  
(Memo with agenda. Resolution approving agreement needed. Estimated cost: \$10,360. Funds are budgeted.)

ACTION: Res. 86-1146 adopted (Patterson/Whiteside, unan., Sutton absent) approving agreement, including Supervising Building Inspectors in audit.  
(Manager to handle)

CONSENT

6. Final adoption of:

- a. Ord. No. 2455-C.S. relating to Taxi cab rates.
- b. Ord. No. 2456-C.S. rezoning from R-3 to R-1, property located on the northeast side of Sisk Road at Akeby Drive. (Zagaris Management Services)
- c. Ord. No. 2457-C.S. rezoning to P-PD(187), property located on the north side of Chicago Avenue east of Carpenter Road. (Norman Winsor)

(Motion adopting needed.)

ACTION: By motion, ordinances adopted.

## HEARINGS

7. Hearing to consider the appeal of Gary Hansen to a Planning Commission decision denying a request for a time extension for P-D(336), a mobile home park on the northeast corner of Whitmore Avenue and Ustick Road.

ACTION: Res. 86-1147 adopted (Patterson/Muratore, unan., Sutton absent) granting time extension. (Planning to handle)

8. Hearing to consider the appeal of Mid-Valley Engineering, on behalf of Resource Development, to a Planning Commission regarding Northwood Park subdivision. (A letter withdrawing the appeal has been received.)

ACTION: By motion (Lang/Patterson, unan., Sutton absent) acknowledged withdrawal of appeal.

9. Hearing to consider an amendment to Section 8-4-9 of the Zoning Map to rezone from R-1 to R-2, property located on the north side of Whitmore Avenue west of Crows Landing Road. (David Epps)

ACTION: By motion (Muratore/McGrath, unan., Sutton absent) Ord. No. 2459-C.S. introduced rezoning. Res. 86-1148 adopted (same vote) certifying review of Environmental Assessment.) (Planning to handle)

## BIDS

### CONSENT

10. Consider declaring Avis Rent-A-Car low bidder and authorize the purchase of six used detective sedans, and authorize the purchase of the sedans from the Service Division Fund which will be reimbursed upon receipt of lease/purchase proceeds.  
(Bids were opened on August 26, 1986. The low bid of \$44,668 submitted by Avis Rent-A-Car is considered acceptable. Resolution declaring Avis Rent-A-Car low bidder for the purchase of six used detective sedans and authorizing the purchase from the Service Division Fund needed.)

ACTION: Res. 86-1149 adopted awarding bid. (Finance to handle)

### CONSENT

11. Consider calling for bids for Standiford/Prescott traffic signal. (Memo with agenda. A traffic-actuated signal with protected left-turn phases is proposed. Resolution approving plans and specifications and calling for bids to be opened at 11:00 a.m., Tuesday, November 18, 1986 needed. Estimated Cost: \$110,000. Funds are budgeted.)

Dropped from agenda

CONSENT

12. Consider approval of plans and specifications and call for bids for construction of Mellis Park masonry wall.  
(Suggested bid opening: October 21, 1986, at 11:00 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$18,727 (const. \$17,025; eng. & cont. \$1,702); funds are partially budgeted. An appropriation transfer will be made after receipt of bids.)

ACTION: Res. 86-1150 adopted calling for bids. (Eng to handle)

CONSENT

13. Consider approving specifications and authorize call for bids to be opened November 4, 1986, at 3:00 p.m. for furnishing one loader/backhoe combination.  
(Requested by the Service Division, the unit will be permanently assigned to the Utility Services Water Division where it will be used by service crews. The loader/backhoe will replace a similar unit presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$56,000. Funds are budgeted.)

ACTION: Res. 86-1151 adopted calling for bids. (Finance to handle)

CONSENT

14. Consider approval of plans and specifications and call for bids for construction of Well No. 50 waterline extension.  
(Suggested bid opening: October 21, 1986 at 11:15 a.m. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$20,275 (\$16,275 construction; \$4,000 eng. & contingencies) Funds are budgeted.)

ACTION: Res. 86-1152 adopted calling for bids. (Eng to handle)

CONSENT

15. Consider award of contract for the drilling, casing, testing, and development of Well No. 50.  
(Bids were opened on September 23, 1986. The low bid of \$23,782.50, submitted by Osterberg & Stewart is considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract to Osterberg & Stewart needed. Funds are budgeted.)

ACTION: Res. 86-1153 adopted awarding contract. (Eng to handle)

CONSENT

16. Consider award of contract for the Ironside Avenue water and sewer line extensions.  
(Memo and bid tabulation with agenda. Resolution awarding contract to Clyde Wheeler Pipeline needed. Estimated Cost: \$35,457.50. Funds are budgeted.)

ACTION: Res. 86-1154 adopted awarding contract. (Eng to handle)

CONSENT

17. Consider rejecting sole bid and authorize new call for bids to be opened October 28, 1986, at 3:15 p.m. for furnishing emergency breathing cylinders.

(Memorandum with agenda. Resolution rejecting bid and authorizing new call for bids needed. Estimated Cost: \$7,000. Funds are budgeted.)

ACTION: Res. 86-1155 adopted rejecting bid and authorizing new bid. (Finance to handle)

CONSENT

18. Consider final acceptance of two new Gillig buses and authorizing final payment.

(Memo with agenda. Gillig has installed radios in two buses completing the \$270,910 contract for the buses. A partial payment of \$264,910 was made on the buses on April 8, 1986, leaving a balance of \$6,000. Resolution accepting two new buses and authorizing final payment needed. Funds are budgeted.)

ACTION: Res. 86-1156 adopted accepting buses and authorizing final payment. (P/T to handle)

CONSENT

19. Consider acceptance of George Reed, Inc.'s contract for the asphalt concrete curb and paving at the City of Modesto Water Quality Control Plant. (Original contract: \$17,777)

(All work on this project has been completed to the satisfaction of the Engineering 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: \$19,448.63 Funds are budgeted.)

ACTION: Res. 86-1157 adopted accepting work as complete. (Eng to handle)

CONSENT

20. Consider acceptance of Dem Con Engineering's contract for the Wright Street water strengthening. (Original contract: \$101,450)

(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final Cost: \$103,737.58. Funds are budgeted.)

ACTION: Res. 86-1158 adopted accepting work as complete. (Eng to handle)

CONSENT

21. Consider acceptance of Central Pump Company's contract for the construction of Pump Station No. 34. (Original contract: \$88,424)

(All work on this project has been completed to the satisfaction of the Engineering and Utility Services Departments. It is therefore recommended that the work be accepted as complete and the Notice of Completion filed. Resolution accepting work as complete needed. Final Cost: \$97,814. Funds are budgeted.)

ACTION: Res. 86-1159 adopted accepting work as complete. (Eng to handle)

CONSENT

22. Consider acceptance of Hawk Well & Equipment's contract for the replacement of the Desander Unit at Pump Station No. 27. (Original contract: \$24,540)  
(All work on this project has been completed to the satisfaction of the Engineering 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: \$25,057. Funds are budgeted.)

ACTION: Res. 86-1160 adopted accepting work as complete. (Eng to handle)

WRITTEN COMMUNICATIONS

CONSENT

23. Application of Harvey and Sharon Payne and Kirk Smith dba, Valley Regional Ambulance, for a City ambulance operators permit.  
(Resolution setting hearing Tuesday, October 28, 1986, at 7:30 p.m. needed.)

ACTION: Res. 86-1161 adopted setting hearing. (Clerk to handle)

CONSENT

24. Request of Downtown Improvement District for the use of downtown sidewalks for the selling of merchandise on October 15th through 18th, 1986 for a Downtown Sidewalk Sale.  
(Motion approving needed.)

ACTION: By motion, request approved.

25.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

James Dignan spoke about Community Center hotel negotiations.  
(Mayor Mensinger stepped down due to a conflict of interest.)

Richard Gates spoke about the need for sidewalks in his neighborhood.

David George, Steering Committee, member of Forward Modesto IV, spoke about project.

Keith House, from Hickman, spoke about working with County.

NEW BUSINESS

26. Presentation of report concerning the status of City's revenues and discussing possibilities for revenue enhancement; consider scheduling a special Council session to study report.  
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Whiteside/Lang, unan., Sutton absent) receipt of report acknowledged, and special study session set for October 27, 1986, at 7:00 p.m.

CONSENT

27. Consider amending the Fiscal Year 86-87 Annual Budget.  
(Certain obligations have impacted the General Fund Contingency Reserve since the time the FY 86-87 Budget was compiled and adopted. Staff is recommending that savings realized by deferring the filling of certain position vacancies be used to replenish the General Fund Contingency Reserve. Memo with agenda. Resolution amending the FY 86-87 Annual Budget to reduce Employee Service appropriations and increase the General Fund Contingency Reserves needed.)

ACTION: Res. 86-1162 adopted amending budget. (Finance to handle)

CONSENT

28. Consider authorizing staff to enter into a lease/financing agreement with Grigsby, Brandford & Co., Inc. for the financing of equipment items totaling \$543,940.  
(Memorandum with agenda. Resolution approving lease/purchase agreement with Grigsby, Brandford & Co., Inc.)

ACTION: Res. 86-1163 adopted approving agreement. (Finance to handle)

CONSENT

29. Presentation of preliminary report reflecting the financial status of the City for the period 7/1/85 to 6/30/86. (Copies distributed to Council on September 25, 1986.)  
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

30. Consider response to Trailways' application to abandon bus service through Modesto.  
(Memo with agenda. Unless unexpected developments occur, staff recommends that Modesto protest to the California Public Utilities Commission the proposed abandonment. Resolution protesting abandonment of bus routes needed.)

ACTION: Res. 86-1164 adopted (Lang/Patterson, unan., Sutton absent) protesting abandonment of bus routes. (P/T to handle)

31. Consider further actions on Airpark Development Project.  
(Memo with agenda.)

ACTION: By motion (Lang/McGrath, unan., Sutton absent) matter delayed until November 4, 1986 meeting. (Utility Serv to handle)

32. Consider Public Projects Committee recommendations to proceed with the College West General Plan Amendment and EIR update and rewrite. (The Public Projects Committee has reviewed traffic data and other data associated with the College West area and recommends that the General Plan Amendment and EIR be updated and proceed to the Planning Commission for public hearing, review and recommendation to the Council. Motion directing staff needed. Estimated cost: \$10,000 - \$30,000 depending upon scope of services. Appropriation transfer to be requested later.)

ACTION: By motion (Lang/Muratore, unan., Sutton absent) staff directed to pursue traffic options and solutions and authorize General Plan amendment and E.I.R. update for Planning Commission consideration. (P/T, Planning to handle)

CONSENT

33. Consider approving lease agreement with E & J Gallo Winery for the lease of Hangar No. 6 at the Airport. (This is a one-year renewal of an existing lease. Rent is established by resolution of the Council and is presently \$358/month. All other terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 86-1165 adopted approving agreement. (Utility Serv to handle)

CONSENT

34. Consider approving lease agreement with Federal Express Corporation for a drop box at the passenger terminal area of the Airport. (This is a two-year renewal of an existing lease agreement. Federal Express pays the City \$300/year rent and is allowed to place a large mailbox-type drop box outside the terminal. Resolution approving agreement needed.)

ACTION: Res. 86-1166 adopted approving agreement. (Utility Serv to handle)

CONSENT

35. Consider setting hearing Wednesday, November 12, 1986, to consider various fee increases relating to land development, street work, building inspection, water and sewer inspections, document reproduction and signs. (Memo with agenda. Resolution setting public hearing needed.)

ACTION: Res. 86-1167 adopted setting hearing. (Clerk to handle)

CONSENT

36. Set date for public hearing on the Draft Circulation Element of the Modesto Urban Area General Plan and accompanying Environmental Impact report. (The Planning Commission held public hearings on the Draft Circulation Element and EIR on July 28, 1986, and August 11, 1986, and has forwarded the document to the Council for adoption. Resolution setting hearing October 28, 1986, at 7:30 p.m. needed.)

ACTION: Res. 86-1168 adopted setting hearing. (Clerk to handle)

CONSENT

37. Consider authorizing City Manager to sign agreement with Modesto Meadows Partners for street improvements on Prescott Road.  
(Prescott Road is being connected from Rumble Road to Standiford Avenue in conjunction with the proposed Modesto Plaza Shopping Center. The City is responsible for improving the center 20'. The developer has requested permission to install City street improvements to reduce time delays. An agreement is needed to allow for construction costs. Memo with agenda. Resolution authorizing City Manager to sign agreement needed. Estimated Cost: \$60,966.50. Funds are budgeted.)

ACTION: Res. 86-1169 adopted approving agreement. (Eng to handle)

38. Consider amendments to the Position Classification Plan and the salary resolution for the following:

- a. Supervising Building Inspector (Class specification only)
- b. Industrial Waste Inspector I (Salary range only)
- c. Construction Inspector and Instrument Repair Technician (Class specifications only)

(Memoranda with agenda. Resolution amending Position Classification Plan needed, and resolution amending alphabetical listing of classifications in the salary resolution needed.)

ACTION: Res. 86-1170 adopted (Patterson/Whiteside, unan., Sutton absent) amending Position Classification Plan.

Res. 86-1171 adopted (same vote) amending salary resolution.  
(Manager to handle)

CONSENT

39. Consider acceptance of improvements in Standiford Square subdivision and authorize City Clerk to file Notice of Completion. (Subdividers: Lucky Development)  
(Standiford Square Subdivision is located at the Northeast corner of Prescott Road and Standiford Avenue. It contains 9.614 acres. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 86-1172 adopted accepting improvements as complete.  
(Clerk/Eng to handle)

CONSENT

40. Consider acceptance of improvement in Bluff Creek Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Jack D. Horn Enterprises) (Bluff Creek Estates Subdivision is located south of East Orangeburg Avenue and west of the A.T. and S.F. Railroad right of way. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements as complete needed.)

ACTION: Res. 86-1173 adopted accepting improvements as complete. (Clerk/Eng to handle)

CONSENT

41. Consider adoption of a resolution declaring the City of Modesto's intent to work with the City's school districts to prevent drug abuse. (Memo with agenda. Resolution needed.)

ACTION: Res. 86-1174 adopted declaring Modesto's intent. (Police to handle)

CONSENT

42. Consider approving request for direct City assistance for Veterans Day Parade on November 11, 1986. (Memo with agenda. Resolution approving request needed.)

ACTION: Res. 86-1175 adopted approving request. (Police, P/R to handle)

CONSENT

43. Consider setting Hearing of Necessity to acquire real property from Gerrit Vander Pol, et ux, for an access to City Well Site No. 49. (An offer has been made and rejected. It is imperative to get this well in operation. Further negotiations are not expected to change the situation. Memo with agenda. Resolution setting hearing November 4, 1986 at 4:00 p.m. needed. Estimated Cost: \$4,300. Funds are budgeted.)

ACTION: Res. 86-1176 adopted setting hearing. (Clerk to handle)

CONSENT

44. Consider approval of agreement with Fairway Designs for tee markers at Municipal 9-Hole and Dryden Golf Courses. (This agreement would permit Fairway Designs to design and construct redwood tee markers for the two City golf courses. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-1177 adopted approving agreement. (P/R to handle)

CONSENT

45. Consider the Edgebrook No. 3 Reorganization to the City of Modesto. (At its September 24, 1986, meeting, LAFCO approved the Edgebrook No. 3 Reorganization. The area consists of 23.22 acres of the west end of Edgebrook Drive north of Encina and south of Dry Creek. LAFCO has authorized the City Council to proceed without notice, hearing, or election. Resolution ordering the Edgebrook No. 3 Reorganization to the City of Modesto, detaching the area from the Empire Fire District and annexing to the Modesto Municipal Sewer District No. 1 and certifying review of Environmental Impact needed.)

ACTION: Res. 86-1178 adopted annexing. (Planning/Clerk to handle)

CONSENT

46. Consider the Kansas-Rosemore Reorganization to the City of Modesto. (At its September 24, 1986, meeting, LAFCO approved the Kansas-Rosemore Reorganization. The area consists of 14.19 acres at the northwest corner of Kansas and Rosemore Avenues. The existing orchard and house site would be developed with the approved 62-lot residential subdivision (Piedmont Glen). LAFCO has authorized the City Council to proceed without notice, hearing, or election. Resolution ordering the Kansas-Rosemore Reorganization to the City of Modesto, detaching the area from the Woodland Fire District and annexing to the Modesto Municipal Sewer District No. 1 and certifying review of Environmental Impact needed.)

ACTION: Res. 86-1179 adopted annexing. (Planning/Clerk to handle)

47. Consider authorizing loan of \$81,000 to the Redevelopment Agency of the City of Modesto for the acquisition of real property located within the Lincoln School site and amending the 1986-87 budget to appropriate funds for this purpose from the contingency reserve of the General Fund. (Memo with agenda. Resolution approving loan needed, and resolution amending the 1986-87 Budget needed. Funds are budgeted.) Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 86-1180 adopted (Lang/Muratore, unan., Sutton, Mayor Mensinger absent) approving loan. (Manager to handle)

MISCELLANEOUS

CONSENT

48. Proposition 58 - Property Taxation - Change in Ownership. (Memo and attachment with agenda. Resolution in opposition of Proposition 58 needed.)

ACTION: Res. 86-1181 adopted opposing. (Manager to handle)

CONSENT

49. Proposition 60 - Property Taxation - Full Cash Value (Memo and attachment with agenda. Resolution in opposition of Proposition 60 needed.)

ACTION: Res. 86-1182 adopted opposing. (Manager to handle)

CONSENT

50a Proposition 62 - Jarvis Local Tax Initiative  
(Memo and attachment with agenda. Resolution in opposition of  
Proposition 62 needed.)

ACTION: Res. 86-1183 adopted opposing. (Manager to handle)

CONSENT

50b Legislation: Staff recommends opposing

H.R. 1309 High Risk Occupational Disease Notification and Prevention  
Action

S. 2240 (Packwood) Trucking Competition of 1986

(Memos and attachments with agenda. Motion accepting staff  
recommendation needed.)

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

51. Appointments

None

52.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

None

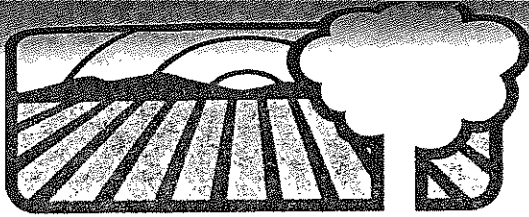
CLOSED SESSION

Closed session to discuss pending litigation (Elizabeth Van Nuys v. City  
of Modesto, et al., Superior Court case No. 207392) pursuant to  
Government Code Section 54956.9(a).

The meeting adjourned at 7:20 p.m.

ATTEST:

  
JUDY C. HALL, Acting City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 14, 1986, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

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

Dropped from consent: 8

ACTION: (Lang/Whiteside, unan.)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Oral status report on Forward Modesto IV from Steering Committee. (Motion accepting report needed.)

Janice Gray reported on status of project and announced Town Hall meetings and welcomed citizen participation.

## MINUTES

### CONSENT

2. Approval of the minutes of the October 8, 1986, regular City Council meeting. (Motion approving needed.)

ACTION: By motion, minutes approved.

UNFINISHED BUSINESS

3. Consider approval of name selected for the Community Center.  
(The judging panel for the name contest has selected "Modesto Centre Plaza" as the name for the Center with the suggestion that the spelling be changed. Memo with agenda. Resolution approving name needed.)

ACTION: By motion (Lang/Whiteside, majority, McGrath and Patterson-no) referred back to committee to review. (P/R to handle)

4. Consider report regarding Community Center proposed policies and rental rates and recommendations from Culture Commission.  
(The report was on Council agenda for September 3, 1986, and was referred to Culture Commission for review and recommendation. The Commission has reviewed and approved the Community Center proposed policies and rental rates report with the recommended amendments. Memo with agenda. Resolution approving policies and rental rates needed.)  
Mayor Mensinger excused due to a conflict of interest.

ACTION: Res. 86-1184 adopted (Sutton/Lang, majority, McGrath and Patterson - no, Mayor Mensinger absent) accepting policies and rental rates. (P/R to handle)

CONSENT

5. Final adoption of:

- a. Ord. No. 2458-C.S. relating to speed limits in the City of Modesto.
- b. Ord. No. 2459-C.S. rezoning from R-1 to R-2, property located on the north side of Whitmore Avenue west of Crows Landing Road. (David Epps)

(Motion adopting needed.)

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

HEARINGS

6. Hearing to consider an amendment to Section 22-3-9 of the Zoning Map to rezone from R-1 to P-D(409) to allow one- and two-story triplexes on each of 10 lots on property located on the north side of E. Orangeburg Avenue, west of Santa Paula Drive. (ZMS and Ronald Earl)  
(Continued from the September 23, 1986 City Council meeting.)  
Councilmember McGrath excused due to a potential conflict of interest.

ACTION: By motion (Whiteside/Sutton, unan., McGrath absent) accepted request for withdrawal of application.

7. Hearing to consider the Yellowstone-Temperate No. 2 Reorganization to the City of Modesto.

ACTION: Res. 86-1185 adopted (Muratore/Lang, unan.) annexing. (Clerk to handle)

#### BIDS

8. Consider award of Dial-A-Ride operations contract.  
(Memo with agenda. Storer Transit Systems submitted the low bid of \$24.45 per vehicle service hour. The contract is expected to commence 1/1/87 or shortly thereafter. Resolution awarding contract and establishing tentative commencement date needed. Estimated Cost: \$570,000/year. Funds are budgeted.)

ACTION: By motion (Whiteside/McGrath, unan.) referred to Transportation Committee to discuss matter of sick leave benefits. (P/T to handle)

#### CONSENT

9. Consider award of Intracity Transit operations contract.  
(Memo with agenda. TRIPS, Inc., submitted the low bid of \$15.35 per scheduled bus hour. The contract is expected to commence 11/1/86. Resolution awarding contract and establishing tentative commencement date needed. Estimated Cost \$1,273,000/year. Funds are budgeted.)

ACTION: Res. 86-1186 adopted awarding contract. (P/T to handle)

#### CONSENT

10. Consider award of the contract for reroofing of the Office Building No. 2 at the Modesto City-County Airport.  
(Bids were opened on September 30, 1986. The only bid of C.W. Delta Roofing at \$21,200 is considered acceptable. It is recommended that the contract be awarded to them. Memo and bid tabulation with agenda. Resolution awarding contract needed, and resolution authorizing appropriation transfer needed. Funds are partially budgeted.)

ACTION: Res. 86-1187 adopted awarding contract.  
Res. 86-1188 adopted authorizing appropriation transfer. (Eng to handle)

#### WRITTEN COMMUNICATIONS

#### CONSENT

11. Consider request of United Nations - USA for direct City assistance with United Nations Day Celebration on October 24, 1986.  
(Motion approving needed.)

ACTION: By motion request approved. (Utility Serv/P & R to handle)

CONSENT

- 11a. Consider request of Omega Nu for direct City assistance with the Modesto Mile on October 19, 1986, sponsored by Omega Nu and the Modesto Bee.  
(Resolution approving needed.)

ACTION: Res. 86-1189 adopted approving request. (Police to handle)

12.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Loretta Carhart spoke about Farmer's Market. Staff to respond.  
John Evans, representative of CLEAN, asked Council to proclaim  
Pornography Awareness Week October 26, through November 2, 1986.

NEW BUSINESS

13. Consider proposed policy for Improvement Districts in newly annexed areas.  
(Council asked that the existing policy on assessments in newly annexed areas be reviewed. A new policy has been written and the sewer service policy has been updated. Memo with agenda. Resolution rescinding Resolution No. 79-1283 and establishing the assessment policy and a resolution re-establishing the sewer service policy needed.)

ACTION: Res. 86-1190 adopted (Lang/Patterson, unan.) rescinding Res. 79-1283.  
Res. 86-1191 adopted (same vote) approving revised sewer service policy.  
Res. 86-1192 adopted (same vote) establishing assessment policy.  
(Engineering to handle)

CONSENT

14. Consider authorizing City staff, in cooperation with Stanislaus County staff, to negotiate a contract with Roy F. Weston, Inc. as Consulting Engineer for the City/County Waste-to-Energy project for design review, construction monitoring and acceptance testing.  
(Memo with agenda. Motion authorizing City staff, along with County staff, to negotiate a contract with Roy F. Weston for Consulting Engineer services needed.)

ACTION: By motion, staff authorized to negotiate a contract.  
(Utility Services to handle)

CONSENT

15. Budget amendment required to reimburse Modesto City Schools for the City's 50% share of the cost of Downey High School swimming pool restoration.  
(Memo with agenda. Resolution amending the Fiscal Year 1986-87 Annual Budget needed.)

ACTION: Res. 86-1193 adopted amending budget. (Finance to handle)

CONSENT

16. Consideration of Intracity Transit service on Washington's Birthday Holiday.

(Memo with agenda. The Council had previously indicated that service on this day would be considered if the businesses would cover the cost of operations. The business community has declined to provide any financial support. Motion accepting report needed.)

ACTION: By motion, report accepted. (P/T to handle)

CONSENT

17. Consider hiring consultant to modify Morton Boulevard trestle.

(Memo with agenda. Railroad trestle crosses Morton. We are virtually assured of \$270,000 from others to complete this \$300,000 project. Consultant fee initially would be about \$12,000 towards a \$35,000-\$40,000 total fee. Appropriation transfer to be requested later. Motion directing staff to prepare contract and transfer the \$12,000 needed.)

ACTION: By motion, staff directed to prepare contract and transfer. (P/T to handle)

CONSENT

18. Consider approval of golf cart rental agreement with Andrew J. Silva, golf professional, at the Municipal Nine-Hole and Dryden Park Golf Courses.

(This is a renewal of the current golf cart rental agreement for a term of five years. Mr. Silva owns, maintains, and rents all golf carts at the City's golf courses. The City receives 22% of the golf cart rental income. Resolution approving agreement needed.)

ACTION: Res. 86-1194 adopted approving agreement. (P/R to handle)

CONSENT

19. Consider authorizing the City Manager to sign a licensing agreement with American Management Systems for the purchase of an inventory system.

(Memo with agenda. Resolution authorizing the City Manager to sign a licensing agreement with American Management Systems needed. Estimated Cost: \$30,000. Funds are budgeted.)

ACTION: Res. 86-1195 adopted approving agreement. (Finance to handle)

CONSENT

20. Consider amending water service installation fees for 4", 6", and 8" services.

(Staff is recommending deletion of a Standard Specification requirement regarding standby fire service. A single check valve will no longer be required and as a result, fees will decrease. Memo with agenda. Resolution amending fees for 4", 6", 8" service installation needed.)

ACTION: Res. 86-1196 adopted amending fees. (Eng to handle)

MISCELLANEOUS

21. Appointments

None

22.

MATTERS TOO LATE FOR THE AGENDA

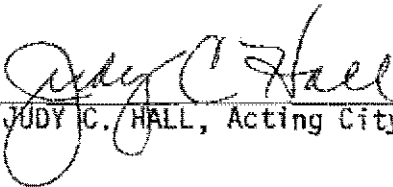
(These may be presented by members of the City Council and staff.)

ACTION: Res. 86-1197 adopted (Patterson/McGrath, unan.) approving letter agreement with J.N. Sciabica for harvesting olives in Mellis Park.  
(P/R to handle)

ADJOURNMENT

The meeting adjourned at 9:07 p.m.

ATTEST:

  
JUDY C. HALL, Acting City Clerk

October 21, 1986

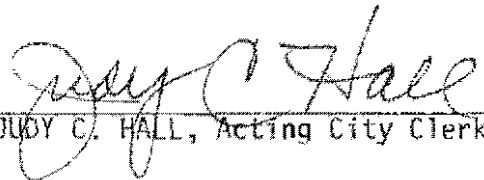
The meeting of the City Council was called to order at 4:00 p.m. in the City Council Chambers, City Hall, Modesto, California, by the Acting City Clerk.

Present: Councilmember Sutton

Absent: Councilmembers Lang, McGrath, Muratore, Patterson, Whiteside, Mayor Mensinger

There being a lack of a quorum, the meeting was adjourned.

ATTEST:

  
JUDY C. HALL, Acting City Clerk

Special Meeting  
Modesto City Council  
October 27, 1986

The Council of the City of Modesto met in special session at 7:00 p.m. in the City Hall Council Chambers, City Hall, 801 11th Street, Modesto, California.

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

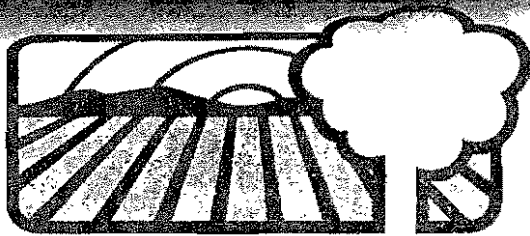
Absent: None

There was a discussion of the Finance Director's report of September 30, 1986, entitled, "Revenues - Current Status and Enhancement Possibilities".

ACTION: By motion (Whiteside/Lang, unan.) receipt of the report was acknowledged and staff was directed to return to Council with more specific information about various options. (Finance to handle)

The meeting adjourned at 8:43 p.m.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, OCTOBER 28, 1986, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40

Removed from consent: 7

ACTION: (Lang/Whiteside, unan.)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. a. Recognition of students receiving trophies for Drug Abuse Prevention Week poster contest.

The Mayor presented trophies to the winners.

- b. Presentation of plaque to John Funnell for service on Farm-City Committee.

Dropped from agenda.

- c. Oral status report on Forward Modesto IV from Steering Committee.  
(Motion accepting report needed.)

Jesse Alexander gave a report.

#### MINUTES

##### CONSENT

2. Approval of the minutes of the October 14, 1986, regular City Council meeting.  
(Motion approving needed.)

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

#### UNFINISHED BUSINESS

- 2a. Discussion of La Loma traffic signal.  
Councilmember Whiteside excused due to a conflict of interest.

ACTION: By motion (Patterson/McGrath, unan., Whiteside absent) staff directed to return the LaLoma signal to a traffic-activated condition. (P/T to handle)

Councilmembers Muratore and Patterson were excused for five minutes.

#### HEARINGS

3. Hearing to consider application of Harvey and Sharon Payne and Kirk Smith dba Valley Regional Ambulance for ambulance operator's permit.  
(Memo with agenda.)

ACTION: Res. 86-1198 adopted (Sutton/McGrath, unan., Muratore and Patterson absent) setting hearing on November 12, 1986, at 7:30 p.m. (Clerk to handle)

4. Hearing to consider the Draft Circulation Element of the Modesto Urban Area General Plan and accompanying EIR of the Modesto Urban Area General Plan.

ACTION: By motion (Lang/Patterson, unan., Whiteside absent) the concept of an expressway loop around the City was accepted with configurations subject to further consideration.

By motion (Patterson/Muratore, unan., Whiteside absent) Brighton and Richland bridges were deleted from the Draft Circulation Element.

By motion (Muratore/Patterson, unan.) hearing continued to Wednesday, November 12, 1986, at 7:30 p.m. (Clerk to handle)

BIDS

CONSENT

5. Consider approval of plans and specifications and call for bids for the installation of Pelandale Park sidewalks.  
(Suggested bid opening: November 18, 1986, at 11:00 a.m. The work to be done under these plans and specifications shall be grading adjacent to the curb on Pelandale Park site, and installing concrete sidewalk. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$11,873.84 (contract \$10,794.40; engineering & cont. \$1,079.44); funds are budgeted.)

ACTION: Res. 86-1199 adopted calling for bids. (Eng to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for the expansion of the City of Modesto Corporation Yard.  
(Suggested bid opening: November 25, 1986, at 11:00 a.m. This project consists of the construction of office improvements inside Building No. 4 at the City Corporation Yard. The work will include all architectural/structural work, electrical and mechanical, complete in place. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$67,789.70 (contract \$61,627; engineering \$6,162.70); funds are budgeted.)

ACTION: Res. 86-1200 adopted calling for bids. (Eng to handle)

7. Consider approval of plans and specifications and call for bids for the McHenry Mansion restoration, Phase II.  
(Suggested bid opening: November 18, 1986, at 11:05 a.m. This project consists of constructing the restrooms and elevator to handicap requirements and restoration of the basement. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$270,000 (contract \$250,000; engineering & cont. \$20,000); funds are budgeted.)

ACTION: Res. 86-1201 adopted (Patterson/Whiteside, unan.) calling for bids. (Eng to handle)

CONSENT

8. Consider approval of plans and specifications and call for bids for the addition of pump and motor control at Scenic lift station.  
(Suggested bid date: November 18, 1986, at 11:10 a.m. This project will add a pump and motor control at the Scenic lift station. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$66,000 (contract \$60,000; eng. & cont. \$6,000); funds are budgeted.)

ACTION: Res. 86-1202 adopted calling for bids. (Eng to handle)

CONSENT

9. Consider approval of plans and specifications and call for bids for the 1986-87 crack sealing of various City streets.  
(Suggested bid opening: November 25, 1986, at 11:05 a.m. The work done on this project is done with preventative maintenance in mind and extends the life of City streets. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$89,300 (contract \$81,200; eng. & cont. \$8,100); funds are budgeted.)

ACTION: Res. 86-1203 adopted calling for bids. (Eng to handle)

CONSENT

10. Consider calling for bids for Standiford/Prescott traffic signal.  
(Suggested bid opening: December 9, 1986, at 11:00 a.m. Memo with agenda. A traffic-actuated signal with protected left-turn phases is proposed. Resolution approving plans and specifications and calling for bids needed. Estimated cost: \$110,000; funds are budgeted.)

ACTION: Res. 86-1204 adopted calling for bids. (P/T to handle)

CONSENT

11. Consider rejection of bids for the Mellis Park masonry wall and request approval of plans and specifications and new call for bids.  
(Suggested bid opening: November 25, 1986, at 11:10 a.m. Bids were opened October 21, 1986. Only one bid was received, and it was 62.5% above the engineer's estimate and considered unacceptable. Various area contractors were contacted and the report is that most of them were too busy at this time to submit a bid. Therefore, we request rejection of bids and approval of a new bid call. Bid tabulation with agenda. Estimated cost: \$16,525 (contract \$15,025; engineering & cont. \$1,500); funds are partially budgeted. Appropriation transfer will be requested after bids are received. Resolution rejecting bids and calling for new bids needed.)

ACTION: Res. 86-1205 adopted rejecting bids and calling for new bids.  
(Eng to handle)

CONSENT

12. Consider approving specifications and authorize call for bids for furnishing panel system workstations.  
(Suggested bid opening: November 25, 1986, at 3:00 p.m. Requested by the Engineering Services Department and the Word Processing Division, the panel system workstations would be used to section off drafting rooms and make more efficient use of existing workspace. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$20,560; funds are budgeted.)

ACTION: Res. 86-1206 adopted calling for bids. (Finance to handle)

CONSENT

13. Consider declaring Commercial Speedometer Services sole bidder and authorize the purchase of 32 electronic tachographs and related supplies for the total price of \$35,209.  
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 86-1207 adopted authorizing purchase. (Finance to handle)

CONSENT

14. Consider award of contract to repair and paint the elevated water tanks.  
(Memo and bid tabulation with agenda. Resolution awarding contract to Redwood Painting Company needed. Estimated cost: \$315,252; funds are budgeted.)

ACTION: Res. 86-1208 adopted awarding contract. (Eng to handle)

CONSENT

15. Consider award of contract for the terminal apron reconstruction and T-hangar access road at the City-County Airport. (AIP No. 3-06-0153-05)  
(The Federal Aviation Administration, by letter dated October 15, 1986, has approved award of contract to Granite Construction. Memo and bid tabulation with agenda. Resolution awarding contract needed. Estimated cost: \$221,692; funds are budgeted.)

ACTION: Res. 86-1209 adopted awarding contract. (Eng to handle)

CONSENT

16. Consider award of contract for Well No. 50 water line extension to Joe Martin Pipeline, Inc.  
(Memo and bid tabulation with agenda. Resolution awarding contract to Joe Martin Pipeline needed. Estimated cost: \$12,450; funds are budgeted.)

ACTION: Res. 86-1210 adopted awarding contract. (Eng to handle)

CONSENT

17. Consider acceptance of Pro Builders' contract for the T-hangar handicap restroom and Administration Building restrooms. (Original contract & final cost: \$29,000)  
(All work on this project has been completed to the satisfaction of the Engineering 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. Funds are budgeted.)

ACTION: Res. 86-1211 adopted accepting work as complete. (Clerk to handle)

CONSENT

18. Consider acceptance of George Reed, Inc.'s contract for Housing Improvement Area No. 3, Phase III (Original contract: \$223,220.50) (All work on this project has been completed to the satisfaction of the Engineering 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: \$240,685.43; funds are budgeted.)

ACTION: Res. 86-1212 adopted accepting work as complete. (Clerk to handle)

CONSENT

19. Consider acceptance of Genstar's contract for the resurfacing of the Graceada Park tennis courts. (Original contract: \$98,085) (All work on this project has been completed to the satisfaction of the Engineering 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: \$102,416.23; funds are budgeted.)

ACTION: Res. 86-1213 adopted accepting work as complete. (Clerk to handle)

CONSENT

20. Consider waiving formal bid procedures and authorize the lease of an aerial tower truck from Mobile Hydraulic Equipment, Inc. for the total amount of \$8,571. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing the lease needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 86-1214 adopted waiving formal bid. (Finance to handle)

21.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Jim Dignan discussed City of Modesto revenues. Vice Mayor Whiteside asked that a copy of Mr. Dignan's statement be furnished to the Council.

Bob Jackson spoke about Proposition 63.

NEW BUSINESS

CONSENT

22. Consider excusing Councilmembers Lang, McGrath, Muratore, Patterson, and Whiteside from the October 21, 1986, City Council meeting due to their attendance at the annual League of California Cities Conference, and excusing Mayor Mensinger's absence from the October 21 Council meeting due to her attendance at the Mayors' Institute on City Design sponsored by the National Endowment for the Arts. (Motion excusing absences needed.)

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

CONSENT

23. Consider supplemental agreement for Jennie/Grand EIR.  
(Memo with agenda. Caltrans has completed its work on the State highway portion of this work and proposes to cancel the agreement on the 13th-14th Streets portion. Staff recommends approval and notes that a \$37,500 expenditure by the City will be avoided. Resolution approving supplemental agreement needed. Estimated cost: \$75,000. Funds are budgeted.)

ACTION: Res. 86-1215 adopted approving supplemental agreement. (P/T to handle)

CONSENT

24. Consider approving appraisal contracts for Transportation Center property.  
(Memo with agenda. Two appraisals are needed for the Transportation Center property. The cost of these two plus a review appraisal is estimated at \$37,900. Resolution approving the appraisal contracts needed. Funds are budgeted.)

ACTION: Res. 86-1216 adopted approving contract with R.W. Arnold, M.A.I.  
Res. 86-1217 adopted approving contract with Robert L. Crisp, M.A.I.  
(Utility Services to handle)

CONSENT

25. Consider renewal of agreement with Nancy M. Young, Executive Director, Downtown Improvement District.  
(This is the sixth renewal of an existing annual agreement. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-1218 adopted approving agreement. (Planning to handle)

CONSENT

26. Consider approving agreement with Robert L. Crisp to appraise Crocker Bank Building for \$6,500 and consider amending the 1986/87 Budget to appropriate funds from the Contingency Reserve to fund this expenditure.  
(City staff has been approached by Wells Fargo to see if the City would be interested in acquiring the Crocker Bank building which is to be closed in the near future. Since this would complete the City's acquisition of the entire block, staff feels we should proceed with an appraisal to determine if it is economically feasible. Memo with agenda. Resolution approving agreement and resolution approving appropriation transfer needed. Funds are budgeted.)

ACTION: Res. 86-1219 adopted approving agreement.  
Res. 86-1220 adopted approving appropriation transfer.  
(Utility Services to handle)

CONSENT

27. Consider approving appropriation transfer from Airport Contingency Reserve Account to three airport projects that need additional funds.  
(Memo with agenda. Resolution approving appropriation transfer needed.)

ACTION: Res. 86-1221 adopted approving appropriation transfer.  
(Finance to handle)

CONSENT

28. Consider authorizing amendments to the agreements with Orrick, Herrington & Sutcliffe and with Public Resources Advisory Group which have provided legal and financial services for the Waste-To-Energy Project.  
(Memo with agenda. Two resolutions needed.)

ACTION: Res. 86-1222 adopted amending agreement with Orrick, Herrington & Sutcliffe.  
Res. 86-1223 adopted amending agreement with Public Resources Advisory Group. (Utility Services to handle)

CONSENT

29. Consider approval of the final map of Bluff Creek Estates No. 2 subdivision of the City of Modesto and accepting the improvements.  
(Developer: James W. Thayer dba: Oakwood Builders)  
(All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Bluff Creek Estates No. 2 is located east of Claus Road between East Orangeburg Avenue and Dry Creek. It contains 14.037 acres. Resolution approving final map and accepting the improvements needed.)

ACTION: Res. 86-1224 adopted approving final map. (Clerk to handle)

CONSENT

30. Consider approval of the final map of Cape Cod Estates No. 3 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.  
(Subdivider: Pan Capital)  
(The subdivision agreement has been signed and all fees paid. Cape Cod Estates No. 3 is located on the east side of Ustick Road, south of Hatch Road. It contains 2.568 acres. Resolution approving final map needed.)

ACTION: Res. 86-1225 adopted approving final map. (Clerk to handle)

CONSENT

31. Consider approval of the final map of Greensan Estates 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.  
(Subdivider: Silas W. Green)  
(The subdivision agreement has been signed and all fees paid. Greensan Estates is located south of Rose Avenue and west of Kazmir Court. It contains 6.472 acres. Resolution approving final map needed.)

ACTION: Res. 86-1226 adopted approving final map. (Clerk to handle)

CONSENT

32. Consider approval of the final map of Quail Run 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. (Subdivider: Rule Enterprises.)  
(The subdivision agreement has been signed and all fees paid. Quail Run is located east of Oakdale Road and north of Manor Oak Drive. It contains 9.586 acres. Resolution approving final map needed.)

ACTION: Res. 86-1227 adopted approving final map. (Clerk to handle)

CONSENT

33. Consider acceptance of improvements in Wesson Place subdivision and authorize the City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Central Ready Mix.) (Wesson Place subdivision is located west of the Tidewater Southern Railroad right of way, north of Standiford Avenue. All improvements have been completed to the satisfaction of the of the Engineering Department and fees have been paid. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 86-1228 adopted accepting improvements as complete.  
(Clerk to handle)

CONSENT

34. Consider acceptance of improvements in Vintage Faire No. 6 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Central Ready Mix) (Vintage Faire No. 6 is located south of Veneman Avenue at Conant Avenue. All improvements are completed to the satisfaction of the Engineering Department and all fees have been paid. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 86-1229 adopted accepting improvements as complete.  
(Clerk to handle)

CONSENT

35. Consider request of Sizzler Restaurant International for refund of \$866.24 for overpayment of Business License Tax.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 86-1230 adopted approving refund. (Finance to handle)

CONSENT

36. Consider request of Aura Hardwood Lumber for refund of \$3,444.59 for overpayment of Business License Tax.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 86-1231 adopted approving refund. (Finance to handle)

CONSENT

37. Monthly Treasurer's Report for September, 1986.  
(Report with agenda.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

38. Consider agreement with Capitol Information Management for computerized bill service.  
(Memo and attachment with agenda. Resolution approving agreement needed. Estimated cost: \$3,700. Funds are budgeted.)

ACTION: Res. 86-1232 adopted approving agreement. (Finance to handle)

CONSENT

39. Consider request of Castle Air Museum for letter of support for change in status of Castle Air Museum.  
(Memo and attachment with agenda. Motion directing City Manager to sign letter of support needed.)

ACTION: By motion, directed City Manager to sign letter of support.  
(Manager to handle)

CONSENT

40. Consider extension of provisional appointment of two Civil Engineering Technicians III.  
(Memo with agenda. Motion approving needed.)

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

MISCELLANEOUS

41. Appointments

None

42. Legislation:

- a. Proposition 65: Restriction on Toxic Discharge Into Drinking Water.

ACTION: By motion (Lang/Patterson, majority, Muratore, Sutton and Mayor Mensinger - no) Proposition 65 opposed.

- b. Proposition 63: English as the Official State Language.

ACTION: By motion (Whiteside/McGrath, unan.) Proposition 63 opposed.

- c. Measure A: State Mandated Costs

ACTION: By motion (McGrath/Lang, unan.) Measure A supported.  
(Manager to handle)

43.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

Councilmember McGrath requested clarification of the policy concerning political activities of City employees.

ADJOURNMENT

The meeting adjourned at 1:23 a.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 4, 1986, AT 4:00 P.M.

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

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. George Telle, Retired, Trinity Presbyterian Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 6, 7, 8, 9, 10, 11, 15, 18, 19, 21, 23

Dropped from agenda: 17

Removed from consent: 20, 22

ACTION: (Lang/Sutton, unan.)

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

1.

### ACKNOWLEDGEMENTS AND PRESENTATIONS

- a. Recognition of City of Modesto's Computerized Tree Management Program receiving the League of California Cities Helen Putman Award for Excellence in the Category of Government Administration.

Mayor Mensinger introduced all of the City employees involved in the program that received the award.

- b. Recognition of Director of Parks and Recreation Mary Grogan receiving the Distinguished Fellow Award from the American Park and Recreation Society.

Mayor Mensinger presented the award to Mary Grogan.

- c. Report on Mayor Mensinger's attendance at the Mayor's institute on Design sponsored by the National Endowment for the Arts.
- d. Status report on Forward Modesto IV from Steering Committee member Aggie Anker.  
  
Aggie Anker gave an update of the Committee's work.
- e. Mayor Mensinger introduced members of Cub Scout Pack II with Gail Ricks, Den Mother; and a group of 3rd and 4th grade students from Eisenhut School, with teacher Mrs. Gurnee.

#### MINUTES

##### CONSENT

- 2. Approval of the minutes of the special City Council meeting of October 27, 1986, and the regular City Council meeting of October 28, 1986.  
(Motion approving needed.)

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

#### HEARINGS

- 3. Hearing of necessity to acquire Vander Pol et ux property for access to City well site No. 49.

ACTION: Res. 86-1233 adopted (Lang/Muratore, unan.) approving Resolution of Necessity. (Utility Services to handle)

- 4. Hearing to consider the appeal of Mid-Valley Engineering, Inc., on behalf of Standiford Properties II, to a Planning Commission decision regarding an application to rezone from R-3 to P-D, property located at the southwest corner of Standiford Avenue and Shawnee Drive, and a tentative parcel map at that location.

ACTION: By motin (Whiteside/Lang, unan.) Council indicated its intention to grant the appeal and referred the matter to staff to work out details.

By motion (Sutton/Whiteside, unan.) staff directed to contact Hetch Hetchy to see if it is possible to come up with a policy concerning improving the Hetch Hetchy right-of-way through Modesto.

(Planning to handle)

BIDS

CONSENT

5. Consider approving specifications and authorizing call for bids to be opened December 2, 1986, at 3:00 p.m. for furnishing one air compressor. (Requested by the Utility Services Sewerage Division, the air compressor will be installed in the aerator maintenance building and will supply air for hoisting equipment. The air compressor will not replace any similar equipment presently in service. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$9,200. Funds are budgeted.)

ACTION: Res. 86-1234 adopted calling for bids. (Finance to handle)

CONSENT

6. Consider approval of plans and specifications and call for bids for the removal and replacement of the bridge crossing of M.I.D. Lateral No. 5 at California Avenue. (Suggested bid opening: December 2, 1986, at 11:15 a.m. This project will provide for the removal and replacement of the bridge crossing with the use of grant monies. Project costs will also be shared by the City and County. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated cost: \$128,832 (construction \$117,120; contingencies 11,712). Funds are budgeted.)

ACTION: Res. 86-1235 adopted calling for bids. (Eng to handle)

CONSENT

7. Consider award of contract for the construction of Tully Road resurfacing from Standiford Avenue to Palmilla Drive. (FAU Project M-F 216(1) (By letter with agenda dated October 27, 1986, from Caltrans, the Engineering staff and the State of California recommend the award of contract for this project. Memo, bid tabulation and letter with agenda. Resolution awarding contract to George Reed, Inc. needed. Estimated cost: \$118,593. Funds are budgeted.)

ACTION: Res. 86-1236 adopted awarding contract. (Eng to handle)

CONSENT

8. Consider acceptance of Genstar's contract for the construction of Pelandale Park Streets. (Original contract: \$31,875.38) (All work on this project has been completed to the satisfaction of the Engineering 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: \$31,554.43. Funds are budgeted.)

ACTION: Res. 86-1237 adopted accepting work as complete. (Clerk to handle)

CONSENT

9. Consider acceptance of Genstar's contract for the 1986 street overlays. (Original contract: \$350,827.45)  
(All work on this project has been completed to the satisfaction of the Engineering Department. It is, therefore, recommended that the project be accepted as complete and to file the Notice of Completion. Resolution accepting work as complete needed. Final cost: \$343,437.92. Funds are budgeted.)

ACTION: Res. 86-1238 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider declaring Santa Rosa Fire Equipment Co., Inc. low bidder and authorize the purchase of emergency breathing cylinders from the firm for the total price of \$6,251.88  
(Memorandum with agenda. Resolution authorizing purchase needed. Funds are budgeted.)

ACTION: Res. 86-1239 adopted authorizing purchase. (Finance to handle)

CONSENT

11. Consider waiving formal bid procedures and authorize the purchase of seven motorcycles from Two Wheels, Inc.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Estimated cost: \$39,088. Funds are budgeted.)

ACTION: Res. 86-1240 adopted waiving formal bid procedures.  
(Finance to handle)

12. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

Loretta Carhart spoke about Farmers Market.  
Daniel Marsh asked that everyone be reminded that today is election day.  
Michael Garcia asked that the make-up of the Forward Modesto IV Committee be representative of the make-up of the City.

NEW BUSINESS

13. Discussion of campaign finance reform proposal.

ACTION: By motion (Whiteside/Sutton) the matter was referred to staff to study and report on legal options. (Attorney to handle)

Councilmember Muratore excused at 6:05 p.m.

14. Consider further actions on Airpark Development Project.  
Councilmember McGrath excused due to a conflict of interest.

ACTION: Res. 86-1241 adopted (Whiteside/Sutton, unan., McGrath and Muratore absent) approving agreement. (Utility Services to handle)

CONSENT

15. Consider introducing an ordinance regulating taxi stands.  
(Memo with agenda. Under the new ordinance all taxi companies will be allowed to use the stands in front of the Greyhound depot. The new ordinance would also give each taxi company one free stand even if several companies have the same owner. All companies agree to the proposed regulations. Introduction of an ordinance needed.)

ACTION: By motion, Ord. No. 2460-C.S. introduced. (Clerk to handle)

16. Presentation of Annual Report of Affirmative Action Committee and response to inquiries on Affirmative Action Program.  
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Lang/Whiteside, unan., Muratore absent) this item was continued to November 25, 1986, at 7:30 p.m. (Clerk to handle)

CONSENT

17. Consider proposed amendments to rules and regulations relating to sidewalk food vendors.  
(Memo with agenda. Resolution amending rules and regulations needed.)

Dropped from agenda

CONSENT

18. Amendment to agreement with Kennedy/Jenks/Chilton Engineers for additional services on the Water Quality Control Plant Expansion Project, Units 2 and 3.  
(Due to requirements imposed by the State Division of Safety of Dams, additional geotechnical, materials testing, and engineering support is required on the Unit 2/3 project. Memo with agenda. Resolution approving amendment to agreement needed. Estimated cost: \$389,340. Funds are budgeted.)

ACTION: Res. 86-1242 adopted approving amended agreement.  
(Utility Services to handle)

CONSENT

19. Consider agreement for LINUS (Local Information Network for Universal Service) computerized information service.  
(Memo and attachment with agenda. Resolution approving agreement needed. Estimated cost: \$250; funds are budgeted.)

ACTION: Res. 86-1243 adopted approving agreement. (Manager to handle)

20. Proposed program for participation in Rural Renaissance Fund Application.  
(Memo with agenda. Motion directing staff to present program to County Board of Supervisors needed.)

ACTION: By motion (Lang/Sutton, unan., Muratore absent) the program as proposed was approved with promotion of foreign trade to be included.  
(Economic Development to handle)

CONSENT

21. Request for refund of \$1,651.17 for overpayment of Business Improvement Area Tax by Central Valley Chrysler Plymouth.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 86-1244 adopted approving refund. (Finance to handle)

22. Inducement resolution for up to \$10 million of multiple-family mortgage revenue bonds (Live Oak Associates)  
(Live Oak Associates has applied for multiple-family mortgage revenue bonds to finance a multiple-family project totalling up to 328 units to be located on approximately 15 net acres on the northeast corner of Merle Avenue and Oakdale Road. Resolution authorizing the issuance of bonds for the purpose of financing the acquisition and construction of multi-family rental housing facilities by Live Oak Associates needed, and resolution approving engagement of Jones, Hall, Hill and White as bond counsel needed.)

ACTION: Res. 86-1245 adopted (Lang/Patterson, unan., Muratore absent) authorizing issuance of bonds.

Res. 86-1246 adopted (same vote) approving engagement of bond counsel. (Planning to handle)

CONSENT

23. Consider agreement with Sentient Systems, Inc. to provide consulting services for the Forward Modesto IV Project.  
(Memo with agenda. Resolution approving agreement needed, and resolution approving appropriation transfer needed.)

ACTION: Res. 86-1247 adopted approving agreement.  
Res. 86-1248 adopted approving appropriation transfer.  
(Manager/Finance to handle)

MISCELLANEOUS

24. Appointments

a. Youth Commission

Dropped from agenda

b. Others

None

25.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

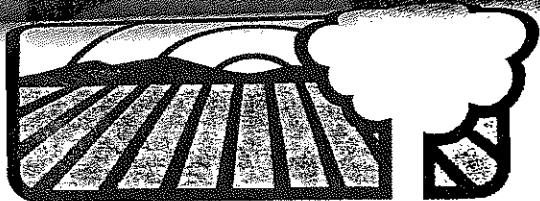
None

ADJOURNMENT

The meeting adjourned at 7:10 p.m.

ATTEST:

*Norrine Coyle*  
\_\_\_\_\_  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF WEDNESDAY, NOVEMBER 12, 1986, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

A. Report of Canvass of Votes

Report given by the City Clerk

B. Oath of Office

ACTION: Res. 86-1249 adopted (Whiteside/Lang, unan.) confirming canvass of Special Municipal Election November 4, 1986, and declaring results.

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 5, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27

ACTION: (Muratore/Patterson, unan.)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Status report on Forward Modesto IV from Steering Committee member Janine McClanahan.

Janine McClanahan made a progress report.

MINUTES

CONSENT

2. Approval of the minutes of the November 4, 1986, regular City Council meeting.  
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Report on "curbstoning" and discussion of ways to handle the problem.  
(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Lang/Whiteside, unan.) staff directed to work with the auto dealer representatives in an attempt to propose an ordinance that would legally solve the problem. (Atty to handle)

4. Consider approval of name selected for the Community Center.  
(On October 14, 1985, the City Council referred this item back to the judging panel. Memo with agenda. Resolution approving name of community center needed.)

ACTION: Res. 86-1250 adopted (Muratore/Patterson, unan.) approving the Committee's recommendation of "Modesto Centre Plaza" for the Community Center. (P/R to handle)

CONSENT

5. Final adoption of Ord. No. 2460-C.S. regarding taxicab stands.  
(Motion adopting needed.)

ACTION: By motion, Ord. No. 2460-C.S. adopted. (Clerk to handle)

HEARINGS

6. Hearing to consider application of Harvey and Sharon Payne and Kirk Smith dba Valley Regional Ambulance for ambulance operator's permit.

ACTION: By motion (Patterson/Whiteside, unan.) receipt of letter withdrawing application acknowledged.

7. Hearing to consider an amendment to Section 6-4-9 of the Zoning Map to rezone from P-D(341) and P-D(375) to R-1, property located on the southeast side of Paradise Road, north and south of Pine Tree Lane.  
(Rule Enterprises/Central Valley Investments)

ACTION: By motion (Sutton/Whiteside, unan.) Ord. No. 2461 introduced.  
Res. 86-1251 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

8. Continued hearing to consider the Draft Circulation Element of the Modesto Urban Area General Plan and accompanying E.I.R. of the Modesto Urban Area General Plan. (Continued from the October 28, 1986, City Council meeting.)

Councilmember Whiteside was excused during discussion of streets and roads due to a conflict of interest.

ACTION: By motion (Sutton/Muratore, unan., Whiteside absent) Floyd Avenue was accepted as a major street from Oakdale and Claus, and Richland and Tioga to Yosemite via Tenaya was added to the plan.

Councilmember Muratore was excused during discussion of Freeway 99 improvements due to a conflict of interest.

By motion (McGrath/Sutton, unan., Muratore and Whiteside absent) approval was given to recommendations concerning Highway 99, excluding those in the Vintage Faire area, and Caltrans was encouraged to proceed with the proposed task force.

Councilmember Sutton was excused during discussion of the Vintage Faire area due to a conflict of interest. Councilmember Muratore returned.

By motion (McGrath/Lang, unan., Sutton and Whiteside absent) approval was given to recommended Highway 99 improvements in the Vintage Faire area and Caltrans was encouraged to proceed with the proposed task force.

By motion (Patterson/Sutton, majority, Muratore-no, Whiteside absent) recommendations concerning traffic reductions in neighborhood and increasing major street efficiency was approved conceptually.

By motion (Whiteside/Sutton, unan.) hearing continued to November 25, 1986, at 7:30 p.m. (Clerk to handle)

9. Hearing to consider fee increase relating to land development, street work, building inspection, water and sewer inspection, document reproduction, and signs.

ACTION: Res. 86-1252 adopted (Sutton/Lang, unan.) establishing a building compliance inspection fee and rescinding Res. No. 85-939.

Res. 86-1253 adopted (same vote) establishing fees and charges for copies of various maps and prints and rescinding Res. No. 85-932.

Res. 86-1254 adopted (same vote) establishing filing fees for subdivision and parcel maps and rescinding Res. No. 85-934 and Res. No. 85-937.

Res. 86-1255 adopted (same vote) adopting a schedule of fees in connection with encroachment permits and inspections required by City and rescinding Res. No. 85-938.

Res. 86-1256 adopted (same vote) establishing investigation and permit fees relating to moving of buildings and rescinding Res. No. 85-935.

Res. 86-1257 adopted (same vote) establishing a fee for preparation of sewer line reimbursement agreements and rescinding Res. No. 85-936.

Res. 86-1258 adopted (same vote) establishing filing fees for special assessment benefit districts for landscaping and rescinding Res. No. 86-489.

Res. 86-1259 adopted (same vote) establishing filing fees for special assessment district financing and rescinding Res. No. 86-491.

Res. 86-1260 adopted (same vote) adopting a schedule of fees and charges for water service and superseding Res. No. 86-1196.

Res. 86-1261 adopted (same vote) establishing a sewer bond redemption charge and water connection charge inspection fees and rescinding Res. No. 85-930.

Res. 86-1262 adopted (same vote) establishing sign permit fees and rescinding Res. No. 85-931. (Engineering to handle)

#### BIDS

##### CONSENT

10. Consider approval of plans and specifications and call for bids for the Merle and Roselle waterline extension.  
(Suggested bid opening: November 25, 1986 at 11:15 a.m. This waterline extension is needed to serve Walnut Woods East Subdivision. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$48,053 (Contr. \$43,230; Eng. & Cont. \$4,823). Funds are budgeted.)

ACTION: Res. 86-1263 adopted calling for bids. (Eng to handle)

##### CONSENT

11. Consider approval of plans and specifications and call for bids for construction of Corporation Yard vehicle wash facility.  
(Suggested bid opening: December 2, 1986 at 11:05 a.m. This project includes a three-part system for cleaning City vehicles. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$117,520 (Contr. \$106,520; Eng. & Cont. \$11,000). Funds are budgeted.)

ACTION: Res. 86-1264 adopted calling for bids. (Eng to handle)

CONSENT

12. Consider approval of plans and specifications and call for bids for the removal and replacement of the bridge crossing at MID Lateral No. 6 at Tully Road.  
(Suggested bid opening: December 9, 1986 at 11:15 a.m. This project will provide for the removal and replacement of the bridge crossing with the use of grant monies. Project costs will also be shared by the City and County. Memo with agenda. Resolution approving plans and specifications and call for bids needed. Estimated Cost: \$195,369 (Contr. \$177,608; Eng. & Cont. \$17,761). Funds are partially budgeted. Appropriation transfer to be requested later upon award of contract.)

ACTION: Res. 86-1265 adopted calling for bids. (Eng to handle)

CONSENT

13. Consider approving specifications and authorize call for bids to be opened December 9, 1986, at 3:00 p.m. for furnishing landscape maintenance services.  
(Memo with agenda. Resolution approving plans and specifications and authorizing call for bid needed. Estimated Cost: \$22,500 (Contr. \$15,600; Eng. & Cont. \$6,900). Funds are budgeted.)

ACTION: Res. 86-1266 adopted calling for bids. (Finance to handle)

CONSENT

14. Consider rejecting bid and approval of rebid of project for "K" Street waterline from 8th Street to 9th Street.  
(Suggested bid date: December 2, 1986 at 11:00 a.m. This project will increase the fire flows and water pressure in the downtown area. Memo with agenda. Resolution rejecting bid and approving new bid call needed. Estimated Cost: \$54,480 (Contr. \$48,618; Eng. & Cont. \$5,862.) Funds are budgeted.)

ACTION: Res. 86-1267 adopted rejecting bid and approving rebid.  
(Eng to handle)

CONSENT

15. Consider acceptance of Genstar's contract for Muncy Park, West Side Park and John Thurman Field surfacing. (Original contract & final cost: \$23,100)  
(All work on this project has been completed to the satisfaction of the Engineering Department and Parks & Recreation Department. Therefore it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting project as complete needed. Funds are budgeted.)

ACTION: Res. 86-1268 adopted accepting contract as complete.  
(Clerk to handle)

CONSENT

16. Consider waiving formal bid procedure and authorizing issuance of a purchase order to Bambacigno Steel Company, Inc. for repairs to 9th Street Bridge, replacing damaged railing.  
(Resolution waiving formal bid procedure and authorizing issuance of purchase order needed. Five affirmative votes needed. Estimated Cost: \$17,000. Funds are budgeted.)

ACTION: Res. 86-1269 adopted waiving formal bid procedure.  
(Utility Services to handle)

WRITTEN COMMUNICATIONS

CONSENT

17. Consider resignations by Armida Zavala and Sandie Wood from the International Friendship Committee.  
(Resolution accepting resignations with regret needed.)

ACTION: Res. 86-1270 adopted accepting resignations. (Clerk to handle)

CONSENT

18. Consider resignation by Jack Broome from the Downtown Improvement District Advisory Board.  
(Resolution accepting resignation with regret needed.)

ACTION: Res. 86-1271 adopted accepting resignation. (Clerk to handle)

CONSENT

19. Letter from Jack R. Jones, representing Orange Line Sanitation Co., Inc., requesting an extension of franchise for the collection of garbage, industrial garbage and salvageable waste.  
(Resolution setting hearing December 9, 1986, at 7:30 p.m. needed.)

ACTION: Res. 86-1272 adopted setting hearing. (Clerk to handle)

20.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

None

NEW BUSINESS

CONSENT

21. Consider setting an informal public hearing on November 18, 1986, at 4:00 p.m. regarding proposal of Stanislaus County to close Torrid and Temperate Avenues at Mercy Avenue.  
(Stanislaus County has referred a closure of Torrid and Temperate Avenues at Mercy Avenue to the City for response. It is recommended that the Council set Tuesday, November 18, 1986, at 4:00 p.m. as the time for public input and discussion of this matter. Notices will be sent to residents in the area. Resolution setting hearing needed.)

ACTION: Res. 86-1273 adopted setting informal hearing. (Clerk to handle)

CONSENT

22. Consider amending the North Ceres Sewer Service Agreement to include areas adjacent to subarea 1 for sewer service.  
(The City of Modesto currently accepts sewage from an area in north Ceres known as subarea 1. The request is to increase the area by the dimensions as specified in the City of Ceres Council Resolution (memo with agenda). Resolution accepting the request from Ceres to include the areas specified in the City of Ceres Resolution No. 86-145 for sewer service needed.)

ACTION: Res. 86-1274 adopted accepting request from Ceres to include the areas specified in the Ceres sewer service agreement.  
(Utility Services to handle)

CONSENT

23. Consider approving grant agreement and right of way certification for Tuolumne Boulevard Guardrail project.  
(Memo with agenda. Right-of-way certification is required of all grants, even when no right-of-way is to be acquired, as in this case. The agreement is the same one approved by the City Council on September 16, 1986, updated for the current fiscal year. Resolution certifying right-of-way and resolution approving agreement and rescinding Resolution No. 86-1116 needed. Estimated cost: \$24,000. Funds are budgeted.)

ACTION: Res. 86-1275 adopted certifying right of way.  
Res. 86-1276 adopted approving agreement and rescinding Res. No. 86-1116.  
(P/T to handle)

CONSENT

24. Report on study to determine moveability of the Southern Pacific depot for the Transportation Center.  
(Memo with agenda. Parsons Brinckerhoff Quade & Douglas investigated the depot and determined that it was structurally sound and could be moved as contemplated in the Transportation Center design. The study cost \$7,200. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

25. Consider amending Policy Statement for Portable Aircraft Storage Hangars at the Modesto Airport.  
(Memo with agenda. Resolution amending policy statement needed.)

ACTION: Res. 86-1277 adopted amending policy statement. (Clerk to handle)

CONSENT

26. Consider acceptance of improvements in East Lake Estates subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Resource Development) (East Lake Estates Subdivision is located between East Briggsmore Avenue and Merle Avenue, west of Roselle Avenue. All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Memo with agenda. Resolution accepting improvements as complete needed.)

ACTION: Res. 86-1278 adopted accepting improvements as complete.  
(Clerk to handle)

CONSENT

27. Consider participating in the League of California Cities Workers Compensation and Disability Retirement Project. (It is proposed that the City of Modesto join in this statewide project to research the problems in the current disability retirement and workers' compensation systems. Memo with agenda. Motion authorizing the City of Modesto's participation in this project needed, and resolution approving appropriation transfer needed.)

ACTION: By motion, City participation authorized.  
Res. 86-1279 adopted approving appropriation transfer.  
(Atty/Finance to handle)

MISCELLANEOUS

28. Appointments

ACTION: Res. 86-1280 adopted (Whiteside/Lang, unan.) reappointing Councilmember Lang to the County Solid Waste Committee, and appointing Mayor Mensinger to the County Library Committee with the Vice Mayor as her alternate. (Clerk to handle)

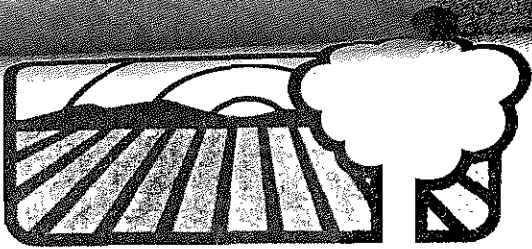
29. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 11:45 p.m.

ATTEST:   
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## ACTION MINUTES AND AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 18, 1986, AT 4:00 P.M.

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

Absent: Councilmember Muratore

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2,5, 7, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20a

Removed from Consent: 12

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

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

### 1. ACKNOWLEDGEMENTS AND PRESENTATIONS

Status report on Forward Modesto IV from Steering Committee member Sue Dessauer.

Sue Dessauer gave report.

Mayor Mensinger announced that the U.S. Conference of Mayors has designated today as "Mayor's D-Day in the War on Drugs."

### MINUTES

#### CONSENT

2. Approval of the minutes of the November 12, 1986, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

## UNFINISHED BUSINESS

3. Staff response to Mr. James Dignan's speech before Council of October 28, 1986.  
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: A motion to establish a citizen's committee to look into the City's finance and budgeting process failed to carry (McGrath/Patterson, Lang, Sutton, Mayor Mensinger - no, Muratore absent).

By motion (Lang/Sutton, majority, McGrath and Patterson - no, Muratore absent) acknowledged receipt of report.

A five minute recess was taken at 6:30 p.m.

4. Follow through on Measure F, City of Modesto Sewer Trunk Extension Advisory Measure. \*  
(Memo with agenda outlining three possible options.)  
Item 8 was considered at the same time as Item 4.

ACTION: By motion (Lang/Patterson, unan., Muratore absent) option 1, to terminate further consideration of the two proposed sewer trunk extensions was approved. (Planning to handle)

Councilmember Lang was excused at 7:45 p.m.

### CONSENT

5. Conditions of approval for P-D rezoning - Standiford Properties II. (On November 4, 1986, intent was indicated to grant the appeal of Standiford Properties II, to a Planning Commission decision denying an application to rezone from R-3 to P-D, property located at the southwest corner of Standiford Avenue and Shawnee Drive. Ordinance approving rezoning needed, resolution granting appeal and approving development plan needed, resolution granting appeal and approving parcel map, and resolution certifying review of environmental assessment needed.)

ACTION: By motion, Ord. No. 2462-C.S. introduced.  
Res. 86-1281 adopted granting appeal and approving development plan.  
Res. 86-1282 adopted granting appeal and approving parcel map.  
Res. 86-1283 adopted certifying review of Environmental Assessment.  
(Clerk/Planning to handle)

## HEARINGS

6. Informal public hearing regarding proposal of Stanislaus County to Close Torrid and Temperate Avenues at Mercy Avenue.

ACTION: By motion (Whiteside/Patterson, unan., Lang and Muratore absent) Council directed that the Board of Supervisors be told that the closure of Torrid and Temperate would make a negative effect on the City in the future, and to urge that a final decision to close these streets not be made until Mercy is completed. (Planning to handle)

## BIDS

### CONSENT

7. Consider approving plans and specifications and calling for bids for the modification of traffic signal at Briggsmore/Coffee.  
(Memo with agenda. This 16-year old signal is no longer appropriate for the traffic now using this intersection. Reliability has also become a problem. This project would upgrade the signal. Resolution approving plans and specifications and calling for bids to be opened December 23, 1986, at 11:00 a.m. needed. Estimated cost: \$40,000. Funds are budgeted.)

ACTION: Res. 86-1284 adopted calling for bids. (P/T to handle)

## WRITTEN COMMUNICATIONS

8. Letter from Keith J. Schneider, Executive Vice President, Building Industry Association, proposing the formation of an infrasture needs advisory committee.  
This matter was considered with Item 4.

ACTION: By motion (Lang/Patterson, unan., Muratore absent) the Public Projects Committee was asked to make a recommendation concerning the formation of the proposed committee.

### CONSENT

9. Request of Nancy Gonzales for permission to file late claim.  
(Resolution denying request needed.)

ACTION: Res. 86-1285 adopted denying request. (Clerk to handle)

10.

## MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Charles Rose spoke about the drug problem. fuel  
Daniel Marsh spoke about the Merced rocket/testing plant.  
Peggy Fields spoke about the "Matters for the good of the Community" item.  
Leopold Prescott spoke about a problem with getting a building permit.

## NEW BUSINESS

### CONSENT

11. Consider proposed amendments to rules and regulations relating to sidewalk food vendors.  
(Memo with agenda. Resolution approving amended rules and regulations needed.)

ACTION: Res. 86-1286 adopted approving amended rules and regulations.  
(Manager to handle)

12. Set hearing to consider proposal to establish a Public Facilities District for the purpose of acquiring right of way and building a sidewalk at 2701 E. Orangeburg.  
(Memo with agenda. Resolution of intention to establish a Public Facilities District and setting public hearing January 6, 1987, at 4:00 p.m. needed. Estimated cost: \$10,570. Funds are budgeted.)

ACTION: Res. 86-1287 adopted (Whiteside/Sutton, unan., Lang and Muratore absent) initiating proceedings on its own motion for the designation of an area of benefit for the purpose of acquiring right of way and building a sidewalk at 2701 E. Orangeburg Avenue.  
(Manager to handle)

CONSENT

13. Consider approving lease agreement with Aloma Lackey for the lease of 1343 Legion Park Drive in Tuolumne River Regional Park.  
(This is a one-year renewal of an existing lease. Rent is increased to \$515 per month from \$490 per month. All other items remain the same. Resolution approving agreement needed.)

ACTION: Res. 86-1288 adopted approving agreement.  
(Utility Services to handle)

CONSENT

14. Consider authorizing Beacon Petroleum, Inc. to drill five monitoring wells on private property and authorize the City Manager to sign a letter agreement with Beacon.  
(Beacon Petroleum, Inc. owns a service station on Yosemite Boulevard and would like to drill monitoring wells to monitor ground water. Memo with agenda. Resolution authorizing drilling of the wells needed, and resolution approving letter agreement needed.)

ACTION: Res. 86-1289 adopted authorizing drilling of wells.  
Res. 86-1290 adopted approving letter agreement.  
(Utility Services to handle)

CONSENT

15. Consider request for refund of \$5,391.77 for overpayment of Business Improvement Area Tax by Del Dotto Enterprises, Inc.  
(Memo with agenda. Resolution approving refund needed.)

ACTION: Res. 86-1291 adopted approving refund. (Finance to handle)

CONSENT

16. Consider setting hearing to review monthly sewer service charges.  
(Memo will be submitted before public hearing. Resolution setting hearing Tuesday, Decemeber 2, 1986, at 4:00 p.m. needed.)

ACTION: Res. 86-1292 adopted setting hearing. (Clerk to handle)

CONSENT

17. Consider setting public hearing for annual review of garbage rates and any needed adjustment.  
(Garbage company operations are reviewed annually. Due to proposed increase in landfill tipping fees, adjustments in service charges are needed. Resolution setting public hearing Tuesday, December 9, 1986, at 7:30 p.m. needed.)

ACTION: Res. 86-1293 adopted setting hearing. (Clerk to handle)

CONSENT

18. Consider approval of agreement with Southern Pacific to cross its right of way at "K" Street.  
(It is necessary to cross Southern Pacific right of way during the construction of the 12-inch waterline at "K" Street. Resolution approving agreement needed.)

ACTION: Res. 86-1294 adopted approving agreement. (Eng to handle)

CONSENT

19. Consider approving agreement with Jordan Gish for the lease of a portion of the Aqueduct Park site.  
(This is a two-year lease for 2+ acres of almonds. Mr. Gish will remove the trees in return for free rent. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-1295 adopted approving agreement. (Utility Services to handle)

MISCELLANEOUS

20. Appointments

CONSENT

- a. Designation of Councilmember John Sutton to serve as Vice Mayor for the ensuing year, pursuant to Section 603 of the Charter of the City of Modesto.  
(Resolution designating John Sutton as Vice Mayor needed.)

ACTION: Res. 86-1296 adopted designating John Sutton as Vice Mayor (Clerk to handle)

- b. Other

None

21.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 8:58 p.m. to Thursday, November 20, 1986, at 3:30 p.m. in the Turner Building Conference Room, Suite D, 900 H Street, Modesto, for a meeting with Congressman Tony Coelho.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

Adjourned Regular Meeting  
Modesto City Council  
November 20, 1986

The Council of the City of Modesto met pursuant to adjournment at 3:30 p.m. in the Turner Building, 900 H Street, Suite D, Modesto, California.

Present: Councilmembers Patterson, Sutton, Whiteside, Mayor Mensinger  
(Councilmember Patterson arrived at 4:00 p.m.)

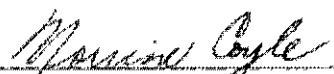
Absent: Councilmembers Lang, McGrath, Muratore

The Councilmembers met with Congressman Coelho to discuss the following matters of interest to the City of Modesto:

1. Future of the Highway and public transportation program  
(Mayor Mensinger and Vice Mayor Sutton were excused from discussion of the 9th Street track relocation due to conflicts of interest.)
2. General Revenue Sharing
3. Infrastructure needs
4. Future of housing and community development programs
5. Clean Water Act
6. Mandatory Medicare coverage for all municipal employees
7. High Risk Occupational Disease Act, H.R. 1309

The meeting adjourned at 4:35 p.m.

ATTEST:

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



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, NOVEMBER 25, 1986, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3, 7, 8, 9, 10, 11, 12, 13,  
16, 17, 18, 20, 21, 22, 23, 24,  
25, 26, 27

Removed from Consent: 19

ACTION: (Lang/Whiteside, unan.)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Mayor Mensinger introduced the members and leaders of Cub Scout Pack 6, Capistrano School

Status report on Forward Modesto IV by Pam Fisher, Steering Committee Co-Chairperson.

A report was made by Pam Fisher.

## MINUTES

### CONSENT

2. Approval of the minutes of the November 18, 1986, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

CONSENT

3. Final adoption of:

- a. Ord. No. 2461-C.S. rezoning from P-D(341) and P-D(375) to R-1, property located on the southeast side of Paradise Road, north and south of Pine Tree Lane (Rule Enterprises/Central Valley Investments).
- b. Ord. No. 2462-C.S. rezoning from R-3 to P-D(410), property located at the southwest corner of Standiford Avenue and Shawnee Drive (Standiford Properties II).

(Motion adopting needed.)

ACTION: By motin, ordinances adopted.

(Clerk to handle)

HEARINGS

4. Continued hearing to consider the Draft Circulation Element of the Modesto Urban Area General Plan and accompanying E.I.R. of the Modesto Urban Area General Plan. (Continued from the October 28, 1986, and November 12, 1986, City Council meetings.)  
Councilmember Whiteside excused during discussion of streets due to a conflict of interest. Vice Mayor Sutton and Mayor Mensinger excused during discussion of railroads due to conflicts of interest.  
Councilmember Muratore excused during discussion of Woodland Avenue due to a cnflict of interest.

ACTION: By motion (Patterson, McGrath, unan.) Councilmember Whiteside elected as Mayor Pro Tem during railroad discussions

By motion (Lang/Muratore, unan., Sutton and Mensinger absent) Council indicated its intention to approve the recommendations concerning railroads.

By motion (Whiteside/Sutton, unan.) Council indicated its intention to approve the concepts presented relative to transit, bicycles, air service and the E.I.R.

Res. 86-1297 adopted (McGrath/Patterson, unan., Whiteside absent) amending Circulation Element as relates to streets and specifically proposed Freeway improvements except at Vintage Faire.

Res. 86-1298 adopted (Lang/Sutton, unan., Muratore and Whiteside absent) amending Circulation Element as relates to streets, and specifically proposed Freeway improvement at Woodland Avenue.

Res. 86-1299 adopted (McGrath/Muratore, unan., Sutton and Whiteside absent) amending Circulation Element as relates to streets and specifically Expressway Loop, new major streets traffic reduction in neighborhoods and increased efficiency of major streets and funding.

Res. 86-1301 adopted (Lang/McGrath, unan., Sutton and Mayor Mensinger absent) amending Circulation Element as relates to transit, bicycles and air service.

Res. 86-1300 adopted (Whiteside/Sutton, unan.) amending Circulation Element as relates to railroads. (Planning to handle)

#### BIDS

5. Consider approving specifications and authorize call for bids to be opened on December 16, 1986, at 3:00 p.m. for furnishing microphones and accessories.  
(The microphones and accessories are requested by the Parks and Recreation Department for use at the Community Center facility for public functions. Resolution approving specifications and call for bids needed. Estimated cost: \$11,140; funds are budgeted.)

ACTION: Res. 86-1302 adopted (Whiteside/Sutton, majority, McGrath and Patterson - no) calling for bids. (Finance to handle)

6. Consider award of contract for theatrical luminaires for Community Center. (Memo with agenda. Resolution awarding contract to Strand Lighting needed. Estimated cost: \$53,445.79. Funds are budgeted.)

ACTION: Res. 86-1303 adopted (Lang/Sutton, majority, McGrath and Patterson - no) awarding contract. (Manager to handle)

#### CONSENT

7. Consider award of contract for the Scenic lift station pump and motor control installation.  
(Bids were opened on November 18, 1986. The low bid of \$65,900, submitted by Walsh Construction, is 9.83% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to Walsh Construction. Memo and bid tabulation with agenda. Resolution awarding contract to Walsh Construction needed. Funds are budgeted.)

ACTION: Res. 86-1304 adopted awarding contract. (Eng to handle)

CONSENT

8. Consider award of contract for the construction of Pelandale Park sidewalks to Conco-West, Inc.  
(Bids were opened on November 18, 1986. The low bid of \$11,279.30, submitted by Conco-West, Inc. is 4.46% above the engineer's estimate and considered acceptable. It is, therefore, recommended that the contract be awarded to Conco-West, Inc. Memo and bid tabulation with agenda. Resolution awarding contract to Conco-West needed. Funds are budgeted.)

ACTION: Res. 86-1305 adopted awarding contract. (Eng to handle)

CONSENT

9. Consider acceptance of Joe Martin Pipeline, Inc.'s contract for the "M" Street water line between 10th and 12th Streets. (Original contract: \$29,465.50)  
(All work on this project has been completed to the satisfaction of the Engineering 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: \$26,708.90. Funds are budgeted.)

ACTION: Res. 86-1306 adopted accepting work as complete. (Clerk to handle)

CONSENT

10. Consider acceptance of Clyde Wheeler Pipeline, Inc.'s contract for the Ironside water and sewer line extension. (Original contract: \$35,457.50)  
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore, it is in order to accept the work as complete and to file the Notice of Completion. Resolution accepting as complete needed. Final cost: \$36,537.50. Funds are budgeted.)

ACTION: Res. 86-1307 adopted accepting as complete. (Clerk to handle)

CONSENT

11. Consider waiving formal bid procedures and authorize the purchase of thirty aerators from Aqua-Aerobic for the total amount of \$371,221.  
(Memo with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 86-1308 adopted waiving formal bid procedures.  
(Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

12. Letter from Mid-Valley Engineering appealing the decision of the Environmental Assessment Committee requiring an Environmental Impact Report for Dry Creek Meadows.  
(Resolution setting hearing December 9, 1986, at 7:30 p.m. needed.)

ACTION: Res. 86-1309 adopted setting hearing. (Clerk to handle)

CONSENT

13. Letter from the Downtown Improvement District requesting a change in the parking design on 10th Street between "H" and "K" Streets from parallel to diagonal parking.  
(Copy of letter from Parking & Traffic Director and memo from Planning & Community Director with agenda. Motion referring request to Council Renaissance Committee needed.)

ACTION: By motion, request referred to Council Renaissance Committee.  
(Planning to handle)

14. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

Dave Blickenstaff asked about the status of the Kansas - 99 Highway interchange.

NEW BUSINESS

15. Presentation of Annual Report of Affirmative Action Committee and response to inquiries on Affirmative Action Program.  
(Memo with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion (Muratore/Lang, unan.) receipt of report was acknowledged with final action delayed until further staff recommendations are received.  
(Manager to handle)

CONSENT

16. Consider City-County Joint Transportation Committee recommendations on transit.  
(Memo with agenda. The recommendations cover the jury bus, award of Dial-A-Ride contract to Storer Transit Systems, and the "Name the Bus" contest. Resolution awarding the DAR contract to Storer Transit Systems and establishing a tentative commencement date needed, and motion approving the winning names for the "Name the Bus" contest needed. Estimated cost: DAR \$570,000/year; Name the Bus \$1,647. Funds are budgeted.)

ACTION: Res. 86-1310 adopted awarding contract to Storer Transit Systems.  
By motion, approved winning names for "Name the Bus" contest.  
(P/T to handle)

CONSENT

17. Proposed Business Park Zone - Recommendation from Public Projects Committee.  
(The Public Projects Committee has considered the addition of a Business Park Zone to the Zoning Code to assist in the City's economic development efforts, and recommends the proposal be referred to the Planning Commission. Memo with agenda. Motion referring to Planning Commission needed.)

ACTION: By motion, this matter was referred to the Planning Commission  
(Planning to handle)

CONSENT

18. Consider adopting the proposed Street Tree Master Plan.  
(On November 3, 1986, the Planning Commission adopted Res. No. 86-183 recommending to the City Council the adoption of the proposed Street Tree Master Plan. Resolution adopting proposed Street Tree Master Plan needed.)

ACTION: Res. 86-1311 adopted adopting Street Tree Master Plan. (P/R to handle)

19. Consider authorization for staff to negotiate an agreement with Robert Trent Jones II Company and Interdevco to design, develop and operate an eighteen hole golf course at the Dry Creek Area Park.  
(Robert Trent Jones II Company and Interdevco was the only proposal received for the above project. Staff recommends authorization to negotiate agreement. Memo with agenda. Motion authorizing negotiation needed.)

ACTION: By motion (Sutton/Muratore, unan.) negotiations authorized. (P/R to handle)

CONSENT

20. Consider approval of street tree fee schedule.  
(This proposal has been reviewed by the Building Industry Liaison Committee and was approved by the City Fee Task Force Committee. Memo with agenda. Resolution approving street tree fees needed.)

ACTION: Res. 86-1312 adopted approving street tree fees. (P/R to handle)

CONSENT

21. Consider approval of LAFCO Questionnaire indicating no opposition to the Hatch Road No. 4 Reorganization.  
(Proponents propose annexation of the approximately 21.5 acre area located on the north side of Hatch Road west of Crows Landing Road. Submission of a questionnaire to LAFCO with application is necessary. Memo and map with agenda. Resolution responding favorably to proposed reorganization needed.)

ACTION: Res. 86-1313 adopted responding favorably. (Planning to handle)

CONSENT

22. Consider resolutions related to Morton Boulevard/M&ET trestle.  
(Memo with agenda. The resolutions hire DeLeuw, Cather & Company to do the engineering work, authorize filing of an application for an approval of and funds for the \$300,000 project, and authorize transferring \$12,000. Three resolutions needed. Estimated cost: \$12,000.)

ACTION: Res. 86-1314 adopted approving agreement.  
Res. 86-1315 adopted authorizing filing of application.  
Res. 86-1316 adopted approving appropriation transfer. (P/T to handle)

CONSENT

23. Consider excusing Councilmember Muratore from the November 18, 1986, City Council meeting due to his attendance at the California Council of Governments Conference.  
(Motion excusing absence needed.)

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

CONSENT

24. Consider joining in two amicus curiae briefs in the following cases:

Lisa Larson et al. v. County of San Diego, et al. (Issue: Decision which potentially expands the liability of cities for injuries caused by dangerous condition.)

(Peralta Community College District v. Fair Employment & Housing Commission. (Issue: Involving the authority of the Fair Employment and Housing Commission to find a public entity liable for compensatory damages.)

(Memo with agenda. Motion authorizing joining in as amici in the above two briefs needed.)

ACTION: By motion, authorized joining in amicus curiae briefs.  
(Atty to handle)

CONSENT

25. Monthly Treasurer's Report for October, 1986.  
(Copies of report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

CONSENT

26. Consider acceptance of improvements in Villeurbanne subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Price Development)  
(Villeurbanne subdivision is located south of Rumble Road and east of Sisk Road. All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 86-1317 adopted accepting improvements as complete.  
(Clerk to handle)

CONSENT

27. Consider acceptance of improvements in Diablo Hills No. 1 Subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Lodi Development)  
(Diablo Hills No. 1 Subdivision is located at the northeast corner of Kansas Avenue and Morse Avenue. All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Memo with agenda. Resolution accepting improvements needed.)

ACTION: Res. 86-1318 adopted accepting improvements as complete.  
(Clerk to handle)

MISCELLANEOUS

28. Appointments

None

29. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

ACTION- Res. 86-1319 adopted (Sutton/Whiteside, unan.) rescinding Res. 86-1292 and setting a hearing regarding sewer service charges on January 20, 1987, at 4:00 p.m.

ADJOURNMENT

The meeting adjourned at 10:30 p.m.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk

December 2, 1986

The meeting of the City Council was called to order at 4:00 p.m. in the City Council Chambers, City Hall, Modesto, California, by the City Clerk.

Present: Councilmembers: None

Absent: Councilmembers: Lang, McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger

There being a lack of a quorum, the meeting was adjourned.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk

Special Meeting  
Modesto City Council  
December 9, 1986

The Council of the City of Modesto met in special session at 7:00 p.m. in the City Hall Council Chambers, City Hall, 801 11th Street, Modesto, California.

Present: Councilmembers Lang, McGrath, Muratore, Patterson,  
Whiteside

Absent: Councilmember Sutton and Mayor Mensinger

ACTION: By motion (Muratore/Whiteside, unan., Sutton and Mayor Mensinger absent) Councilmember Lang was elected Mayor pro tem

The Councilmembers adjourned to closed session at 7:05 p.m. to consider acquisition of Crocker Bank property located at the southeast corner of 10th and I Streets.

The Councilmembers reconvened at 11:10 p.m. and immediately adjourned to closes session to continue consideration of acquisition of Crocker Bank property.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 9, 1986, AT 7:30 P.M.

Roll Call - Present: Councilmembers Lang, McGrath, Muratore, Patterson, Sutton, Whiteside,  
Vice Mayor Sutton arrived at 8:45 p.m.

Absent: Mayor Mensinger

By motion (Muratore/McGrath, unan., Vice Mayor Sutton and Mayor Mensinger absent) Councilmember Lang elected Mayor pro tem.

Pledge of allegiance to the Flag

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

Dropped from agenda: 12

Removed from Consent: 31, 40

ACTION: (Whiteside/Muratore, unan., Sutton and Mayor Mensinger absent)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. a. Presentation of plaque to John Funnel, Farm-City Advisory Committee.  
Mayor pro tem Lang presented the plaque to John Funnel.
- b. Presentation of award to the contest winner for the naming of the Modesto Centre Plaza.

Mayor pro tem Lang presented plaques to Cynthia Stephenson and Lori Coleman for submitting the winning name for the Community Center. Ms. Coleman and Ms. Stephenson placed their names in a hat from which Mayor pro tem drew Cynthia Stephenson's name as winner of the \$2,000 party.

- c. Status report on Forward Modesto IV from Steering Committee member Bob Strickland.

A report was made by Bob Strickland.

#### MINUTES

##### CONSENT

- 2. Approval of the minutes of the November 20, 1986, adjourned regular City Council meeting November 25, 1986, regular City Council meeting. (Motion approving needed.)

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

#### HEARINGS

- 3. Hearing to consider the request by Orangeline Sanitation for a three-year license extension.

ACTION: By motion (Muratore/Patterson, unan., Sutton and Mayor Mensinger absent) hearing continued to December 23, 1986, at 7:30 p.m. (Clerk to handle)

- 4. Hearing to consider an amendment to Section 12-3-8 of the Zoning Map to rezone from R-1 and R-2 and R-3, property located on the west side of Prescott Road, south of Hetch Hetchy right of way. (Elwin Young)

ACTION: By motion (Whiteside/Muratore, unan., Sutton and Mayor Mensinger absent) receipt of letter withdrawing application to rezone was acknowledged.

- 5. Hearing to consider the appeal of John Powell, One Stop Flooring & Drapery Center, to a Planning Commission decision denying an amendment to P-D(253), to allow a floor covering, sales/display establishment in the neighborhood convenience/commercial development at the northwest corner of Prescott Road and Standiford Avenue. Councilmember McGrath excused due to a conflict of interest.

ACTION: Res. 86-1320 adopted (Muratore/Patterson, unan., McGrath, Sutton and Mayor Mensinger absent) appeal denied and Planning Commission decision upheld. (Clerk to handle)

6. Hearing to consider an amendment to P-D(365) for a patio home subdivision on the southeast corner of Pelandale Avenue and Honey Creek Road.

ACTION: By motion (Whiteside/Muratore, unan., Sutton and Mayor Mensinger absent) Ord. No. 2463-C.S. introduced.  
Res. 86-1321 adopted (same vote) approving conditions.  
Res. 86-1322 adopted (same vote) certifying review of Environmental Assessment. (Clerk/Planning to handle)

7. Hearing to consider adjustments to garbage rates.

ACTION: By motion (Muratore/Patterson, unan., Sutton and Mayor Mensinger absent) hearing continued to December 23, 1986, at 7:30 p.m. (Clerk to handle)

8. Consider appeal of Mid-Valley Engineering to a decision of the Environmental Assessment Committee requiring an environmental impact report for Dry Creek Meadows.

ACTION: By motion (Muratore/Whiteside, unan., Sutton and Mayor Mensinger absent) hearing continued to December 23, 1986, at 7:30 p.m. (Clerk/Planning to handle)

Vice Mayor Sutton arrived at 8:45 p.m.

#### BIDS

##### CONSENT

9. Consider approving specifications and authorize call for bids to be opened January 6, 1987, at 3:00 p.m. for furnishing one turf truck. (Requested by the Utility Services Division, the turf truck will be dispatched to the Parks and Recreation Department for use in various park sites for general maintenance and repair of sprinklers and grounds upkeep. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$7,000; funds are budgeted.)

ACTION: Res. 86-1323 adopted calling for bids. (Finance to handle)

##### CONSENT

10. Consider award of contract for the crack sealing of various City streets, 1986-87 to Daycor, Inc. (Bids were opened November 25, 1986. The low bid of \$49,999.95, submitted by Daycor, Inc., is 38.42% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Daycor, Inc. Memo and bid tabulation with agenda. Resolution awarding contract to Daycor, Inc. needed. Funds are budgeted.)

ACTION: Res. 86-1324 adopted awarding contract. (Eng to handle)

CONSENT

11. Consider award of contract for the construction of water line in "K" Street between 8th and 9th Streets.  
(Bids were opened December 2, 1986. The low bid of \$49,565, submitted by Rolfe Construction, is 1.95% 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. 86-1325 adopted awarding contract. (Eng to handle)

CONSENT

12. Consider acceptance of George Reed, Inc.'s contract for the 1986 curb drain inlet repair. (Original contract: \$15,165)  
(All work on this project has been completed to the satisfaction of the Engineering Department. It is, therefore, recommended that the project be accepted as complete and the Notice of Completion filed. Memo with agenda. Resolution accepting work as complete needed. Final cost: \$14,855. Funds are budgeted.)

Dropped from agenda.

CONSENT

13. Consider waiving formal bid procedures and authorize the purchase of sewer outfall pump repair services from Johnston Pump Company for \$8,667. (Memorandum with agenda. Resolution waiving formal bid procedures and authorizing pump repair services. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 86-1326 adopted waiving formal bid procedures. (Finance to handle)

CONSENT

14. a) Consider waiving formal bid procedures and authorize the purchase of computer equipment from Hewlett Packard.  
b) Consider approving specifications and authorize call for bids to be opened December 30, 1986, at 3:00 p.m. for furnishing IBM and Wang computer equipment.

(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed (Five affirmative votes needed.), and resolution approving specifications and authorizing call for bids needed. Estimated cost: \$104,055. Funds are budgeted.)

ACTION: Res. 86-1327 adopted waiving formal bid procedures.  
Res. 86-1328 adopted calling for bids. (Finance to handle)

WRITTEN COMMUNICATIONS

CONSENT

15. Set hearing December 23, 1986, at 7:30 p.m. to consider the appeal of Mid-Valley Engineering to a Planning Commission decision concerning Leonard Jackson vesting tentative parcel map.  
(Resolution setting hearing needed.)

ACTION: Res. 86-1329 adopted setting hearing. (Clerk to handle)

CONSENT

16. Request by Kevin Miranda to change City ordinance concerning soliciting donations.  
(Motion referring to staff needed.)

ACTION: By motion, request referred to staff. (Police to handle)

17.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

Dave Painter requested permission to open the Thrifty Store in the Standiford/Prescott shopping center even though Prescott is not yet paved as required. By motion (Lang/Whiteside, unan., Mayor Mensinger absent) permission was granted with the condition that the street be barricaded where it is not complete.

Vice Mayor Sutton said the Fair Political Practices Commission had accepted the Administrative Judge's decision that he did not violate the Political Reform Act by voting on Community Center matters.

NEW BUSINESS

CONSENT

18. Consider excusing Mayor and Councilmembers from the December 2, 1986, regular City Council meeting due to their attendance at the annual National League of Cities Conference.  
(Motion excusing needed.)

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

CONSENT

20. Consider request by the Modesto Arts Advisory Committee for staff and budgetary support and amend fiscal year 1986-87 budget to provide \$5,611 in financial assistance to implement "Modesto Celebrates the Arts - 1987."  
(In accordance with Resolution No. 86-274, the Culture Commission is requesting staff and budget support for the Modesto Arts in Action Committee. Memo with agenda. Resolution approving request and amending budget needed.)

ACTION: Res. 86-1330 adopted approving request and amending budget.  
(P/R and Finance to handle)

CONSENT

21. Consider adoption of Resolution of Intention to vacate and abandon the 20-foot public alley in Block 65.  
(On February 25, 1986, the Council indicated its intention to abandon alley as requested by Modesto Irrigation District to allow expansion of their administration building subject to relocation of existing utility lines. Written releases from the utility companies have been received and final abandonment action is requested. Since the previous hearing was more than six months ago, a new resolution and public hearing is required. It is recommended that a Resolution of Intention be adopted setting January 6, 1987, at 4:00 p.m. as the time for hearing. Memo with agenda. Resolution of intention to vacate and abandon the public alley in Block 65 needed.)

ACTION: Res. 86-1331 adopted setting hearing. (Clerk to handle)

CONSENT

22. Consider including Colfax Avenue from Yosemite to Encina in the Mandatory Sidewalk Program.  
(Memo with agenda. Motion directing staff to proceed by including Colfax in the Mandatory Sidewalk Program needed.)

ACTION: By motion, staff directed to proceed. (Eng to handle)

CONSENT

23. Consider approval of agreement with Bench Craft Company for benches at Municipal 9-Hole and Dryden Golf Courses.  
(This agreement would permit Bench Craft to place custom designed benches at tees and other locations at the two City golf courses. Memo with agenda. Resolution approving agreement needed.)

ACTION: Res. 86-1332 adopted approving agreement. (P/R to handle)

CONSENT

24. Consider approval of grant application under the Community Parkland Act of 1986 for the development of Riverside Neighborhood Park.  
(Last June the people of California passed the Community Parkland Act of 1986. The City of Modesto's allocation from this Act is \$354,000. Since the development of Riverside Neighborhood Park meets the program's criteria, staff recommends application for this development. No local match is required. Resolution authorizing filing of application needed.)

ACTION: Res. 86-1333 adopted authorizing filing of application. (P/R to handle)

CONSENT

25. Consider adoption of Resolution of Intention setting public hearing January 6, 1987, at 4:00 p.m. to establish a Public Facilities District for the purpose of acquiring right of way and building a sidewalk at 2701 E. Orangeburg.  
(Memo with agenda. Resolution of Intention needed. Estimated cost: \$10,570. Funds are budgeted.)

ACTION: Res. 86-1334 adopted setting hearing. (Clerk to handle)

CONSENT

26. Consider introduction of an ordinance to delete a section of the Electrical Code and Plumbing Code which prevents the issuance of permits for owners to accomplish work on their own buildings.  
(Memo with agenda. Introduction of ordinance needed.)

ACTION: By motion, Ord. No. 2464-C.S. introduced. (Clerk to handle)

CONSENT

27. Consider approval of driveway variances requested by R. B. Welty Associates, Inc. for The Lakes Shopping Center.  
(Memo with agenda. The details of the request are shown in exhibits attached to the memo. Resolution approving driveway variances needed.)

ACTION: Res. 86-1335 adopted approving variances. (Eng to handle)

CONSENT

28. Consider authorizing the City Manager to sign a Stanislaus County "Construction Permit" (no fee) to allow the installation of two ground water monitoring wells in the County right of way.  
(The monitoring wells are part of the State requirements for the Water Quality Control Expansion Project. The County requires execution of a hold harmless agreement before installation of the wells. Memo with agenda. Resolution authorizing City Manager to execute construction permit needed.)

ACTION: Res. 86-1336 adopted authorizing City Manager to execute construction permit. (Utility Services to handle)

CONSENT

29. Consider acceptance of improvements in Country Ranch Estates subdivision and authorize the City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Bright Development)  
(Country Ranch Estates is located south of Floyd Avenue, east of Oakdale Road. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 86-1337 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

30. Consider response to Trailways' application to Interstate Commerce Commission to abandon bus service through Modesto.  
(Memo with agenda. It is recommended that Modesto protest Trailways' proposed abandonment of service. Resolution authorizing City Manager and Transit Manager to file protest needed.)

ACTION: Res. 86-1338 adopted authorizing City Manager and Transit Manager to file protest. (P/T to handle)

31. Consider acceptance of improvements in Regency Park No. 3 subdivision and authorize the City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: Regency Park Construction)

(Regency Park No. 3 subdivision is located between Regency Park Drive and Veneman Avenue, north of M.I.D. Lateral No. 7. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)  
Councilmember McGrath excused due to a conflict of interest.

ACTION: Res. 86-1339 adopted (Muratore/Lang, unan., McGrath and Mayor Mensinger absent) accepting improvements as complete.  
(Clerk to handle)

CONSENT

32. Consider the Chicago Avenue No. 2 Reorganization to the City of Modesto. (At its November 19, 1986, meeting, LAFCO approved the Chicago Avenue No. 2 Reorganization. The area consists of 5.0 acres immediately east of Westgate Village Mobile Home Park on Chicago Avenue. The area is rezoned P-D(187), to allow a 42-unit expansion of the mobile home park. LAFCO has authorized the City Council to proceed without notice, hearing or election. Resolution order the Chicago Avenue No. 2 Reorganization to the City of Modesto needed.)

ACTION: Res. 86-1340 adopted annexing Chicago Avenue No. 2 Reorganization to the City of Modesto.  
(Clerk to handle)

CONSENT

33. Consider the Roselawn-Rouse No. 2 Reorganization to the City of Modesto. (At its November 19, 1986, meeting, LAFCO approved the Roselawn-Rouse No. 2 Reorganization. The area consists of 1.99 acres on the south side of Rouse Avenue west of Roselawn and includes an existing duplex and single family house. LAFCO has authorized the City Council to proceed without notice, hearing or election. Resolution ordering the Roselawn-Rouse No. 2 Reorganization to the City of Modesto needed.)

ACTION: Res. 86-1341 adopted annexing Roselawn-Rouse No. 2 Reorganization to the City of Modesto.  
(Clerk to handle)

CONSENT

34. Consider extension of provisional appointments of two Civil Engineering Technician III's to January 18, 1987.  
(Memo with agenda. Motion approving extension needed.)

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

CONSENT

35. Consider the following:  
a. Amending the the Position Classification Plan for Housing Conservationist and Parks Crew Leader.  
(Memo with agenda.)

- b. Authorizing the position of Traffic Engineer, approving the classification specification and salary range allocation, and amending the classification specification for Parking and Traffic Superintendent.

(The size of the traffic engineering staff has remained unchanged since 1954. Dealing with the City's current and future traffic volume requires more attention than is now possible with existing staff. Memo with agenda.)

(Resolution amending Position Classification Plan needed, and resolution amending alphabetical listing of classifications in the salary resolution needed. Estimated cost during the first year: \$52,068; will be included as part of the mid-year report to the Council on the City's 1986-87 financial status.)

ACTION: Res. 86-1342 adopted amending Position Classification Plan.  
Res. 86-1343 adopted amending Salary schedule.

(Manager to handle)

CONSENT

37. Set hearing December 23, 1986, at 7:30 p.m. on the cost of installation of curb and/or sidewalks at following locations:

- a. Curb and sidewalk at 306 Conejo Avenue, Portion of Block 2184-A (E. Curtis and Lois A. Camp - \$1,750)
- b. Sidewalk along Rosina Avenue at 1705 Miller Avenue, Lot 7 of Block 2132-A (Michael and Lisa Delfley, Jr. - \$509)
- c. Curb and sidewalk at 1613 Timothy Avenue, Lot 4 of Block 6133 (Carney and Deborah Lansford - \$944)
- d. Curb and sidewalk at 1621 Timothy Avenue, Lot 2 of Block 6133 (Carney and Deborah Lansford - \$944)
- e. Curb and sidewalk at 1627 Timothy Avenue, Lot 1 of Block 6133 (Carney and Deborah Lansford - \$2,864)
- f. Curb and sidewalk at 1617 Timothy Avenue, Lot 3 of Block 6133 (Carney and Deborah Lansford - \$944)
- g. Sidewalk at 207 Rosina Avenue, Lot 5 of Block 2132 (Rose K. Martin - \$342)
- h. Sidewalk at 211 Rosina Avenue, Lot 4 of Block 2132 (Rose K. and Robert Joe Martin - \$342)
- i. Sidewalk at 1605 Timothy Avenue, portion of Block 6133 (Elizabeth T. Soderstrom - \$512)

(Required work has been completed. Costs have been calculated and tabulation of properties, the owners and respective costs is above. Resolution setting hearing needed.)

ACTION: Res. 86-1344 adopted setting hearing.

(Clerk to handle)

CONSENT

38. Set hearing January 13, 1987, at 7:30 p.m. for requirement for construction of curbs and/or sidewalks at the following locations:

- a. Sidewalk at 1428 Teresa Street, Lot 30 of Block 6078 (Howard L. Bogar)
- b. Sidewalk at 1404 Teresa Street, Lot 24 of Block 6078 (Benjamin A. Brown)
- c. Curb and sidewalk at 2437 E. Orangeburg Avenue, a portion of Block 1437 (Community Pacific Broadcasting)
- d. Sidewalk at 1400 Teresa Street, Lot 23 of Block 6078 (John A. Frates)
- e. Curb at 157 East Coolidge Avenue, a portion of Block 200 (Deborah Lensor)
- f. Curb at 161 East Coolidge Avenue, a portion of Block 200 (Deborah Lensor)
- g. Curb at 626 El Camino Avenue, a portion of Block 1039 (Warren Stone)
- h. Sidewalk at 1336 Teresa Street, Lot 19 of Block 6078 (Jerry D. Surber)
- i. Sidewalk at 1420 Teresa Street, Lot 28 of Block 6078 (Wendell L. Thompson)
- j. Curb at 207 E. Coolidge Avenue, a portion of Block 200 (Conrad S. Word)

(Informal requests were sent to the property owners over 30 days ago. As the work has not been done, it is recommended that a resolution be adopted instructing the Superintendent of Streets to give notice. Resolution setting hearing January 13, 1987, at 7:30 p.m. needed.)

ACTION: Res. 86-1345 adopted setting hearing.

(Clerk to handle)

CONSENT

39. Consider approval of an amendment to agreement with Robert C. Arthur for drafting services for water and sewer record mapping. (The current agreement with Robert C. Arthur is for \$10,000. We have an additional \$10,000 budgeted for sewer and water mapping. It is recommended the additional funds be allocated for use through the amendment to agreement being proposed. Resolution approving amendment to agreement needed.)

ACTION: Res. 86-1346 adopted approving amendment to agreement.

(Eng to handle)

40. Consider exchange of land use with Modesto City Schools.  
(A proposal to allow Modesto City Schools to use land on Woodland Park site in exchange for City using school land for park purposes on another site. Memo with agenda. Motion authorizing staff to negotiate agreement needed.)

ACTION: By motion (Lang/Whiteside, unan., Mayor Mensinger absent) staff authorized to negotiate. (P/R to handle)

MISCELLANEOUS

41. Appointments

None

42. MATTERS TOO LATE FOR THE AGENDA  
(These may be presented by members of the City Council and staff.)

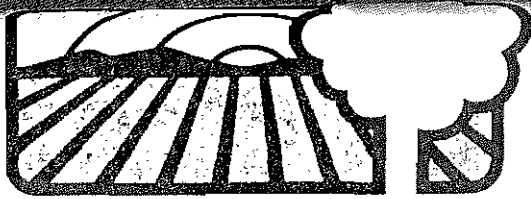
During Council discussion concerning the Infrastructure Committee suggested by the Public Projects Committee, by motion (Muratore/Patterson, unan., Mayor Mensinger absent) it was decided to continue the discussion at next week's meeting.

There was a discussion of the City Manager's response to Jim Dignan. By motion (Whiteside/Lang, majority, McGrath and Patterson - no, Mayor Mensinger absent) the City Manager's action, in response to James Dignan, in requesting an investigation by the Grand Jury, was supported.

ADJOURNMENT

The meeting adjourned at 9:35 p.m.

ATTEST: Norrine Coyle  
NORRINE COYLE, City Clerk



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 16, 1986, AT 4:00 P.M.

Roll Call - Present: Councilmembers Lang, McGrath, Muratore, Patterson, Sutton, Whiteside, Mayor Mensinger  
Councilmember McGrath arrived at 4:05 p.m.  
Councilmember Patterson arrived at 4:25 p.m.

Absent: None

Pledge of allegiance to the Flag

Invocation: Rev. David Olsen, Big Valley Grace Community Church

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 6, 9, 10, 11, 12, 13,  
15, 16, 17, 18, 18A, 22, 24,  
25, 26, 27, 28, 29, 31, 32, 33, 34

Removed from Consent: 14, 23

ACTION: (Lang/Whiteside, unan., McGrath and Patterson absent)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. Status report on Forward Modesto IV from Steering Committee member Bea Acosta.

Bea Costa made a progress report.

Mayor Mensinger introduced Brendon Dickey, Boy Scout Troup 117.

MINUTES

CONSENT

2. Approval of the minutes of the December 9, 1986, special and regular City Council meetings.  
(Motion approving needed.)

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

UNFINISHED BUSINESS

3. Discussion of proposed Infrastructure Study Committee.  
Taken up after Item 4.

ACTION: A motion (Whiteside/Sutton, Lang, McGrath, Muratore and Patterson - no) to have the proposed charge to Council on January 13, and notify groups to be thinking of possible representative committee members failed to carry.

By motion (McGrath/Muratore, unan.) it was agreed that the committee would be named "Infrastructure Study Committee" with the charge to be presented to the Council on January 6 for consideration.  
(Planning to handle)

4. Report regarding 90-day First Responder Program.  
(Follow-up on 90-day First Responder Program Report performed by EMS Task Force. Memo and report with agenda. Motion acknowledging receipt of report needed.)

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

5. Consider report regarding local regulation of campaign contributions and conflict of interest.  
(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Muratore/Lang, majority, McGrath-no) staff directed to prepare an ordinance for Council consideration.

By motion (McGrath/Patterson, Lang, Muratore, Sutton, Whiteside and Mensinger - no) directing staff to prepare an ordinance concerning conflicts of interest failed to carry. (Attorney to handle)

CONSENT

6. Final adoption of Ord. No. 2464-C.S. repealing Sections 9-2.13 and 9-3.108 of the Modesto Municipal Code relating to the Plumbing and Electrical Code.  
(Motion adopting needed.)

ACTION: By motion, Ordinance No. 2464-C.S. adopted. (Clerk to handle)

## HEARINGS

7. Hearing to consider an amendment to Section 32-3-9 of the Zoning Map to rezone from R-2 to P-D(411) to allow existing church and institutional facilities to continue as a social service center, located at 918 Sierra Drive. (Brethren Community Services)  
Councilmember Lang excused due to a conflict of interest.

ACTION: By motion (Muratore/Whiteside, unan., Lang absent) Ord. No. 2465-C.S. introduced  
Res. 86-1347 adopted (same vote) approving plan.  
Res. 86-1348 adopted (same vote) certifying review of Environmental  
Assessment. (Clerk/Planning to handle)

## BIDS

8. Consider approving specifications and authorize call for bids to be opened January 13, 1987, at 3:00 p.m. for furnishing two forklifts. (Requested by the Service Division, one forklift will be permanently assigned to the Parks and Recreation Department to be used at the Community Center. The other forklift will be permanently assigned to Purchasing to be used by Stationary Stores personnel. Resolution approving specifications ;and authorizing call for bids needed. Estimated cost: \$38,000. Funds are budgeted.)

ACTION: Res. 86-1349 adopted (Lang/Muratore, unan.) calling for bids.  
(Finance to handle)

## CONSENT

9. Consider approving specifications and authorize call for bids to be opened January 13, 1987, at 3:05 p.m. for furnishing shelving, workbenches, and office furniture. (Requested by Utility Services Department, the shelving and workbenches would be installed in the aerator maintenance building; the office furniture would be used to furnish the new administration building at the wastewater treatment facility. Resolution approving specifications and authorizing call for bids needed. Estimated cost: \$37,609. Funds are budgeted.)

ACTION: Res. 86-1350 adopted calling for bids. (Finance to handle)

## CONSENT

10. Consider award of contract for McHenry Mansion Restoration Phase II. (Bids were opened on November 18, 1986. The sole bid, submitted by Don Hughes Construction, is within 10% of the architect's estimate and considered acceptable. It is recommended that the contract be awarded to Don Hughes Construction. Resolution awarding contract to Don Hughes Construction needed. Estimated cost: \$270,457. Funds are budgeted.)

ACTION: Res. 86-1351 adopted awarding contract. (Eng to handle)

CONSENT

11. Consider award of contract for the Merle and Roselle water line extension. (Bids were opened on November 25, 1986. The low bid of \$39,794.50, submitted by Joe Martin Pipeline, Inc., is 7.95% below the engineer's estimate and considered acceptable. It is recommended that the contract be awarded to Joe Martin Pipeline, Inc. Memo and bid tabulation with agenda. Resolution awarding contract to Joe Martin Pipeline needed. Funds are budgeted.)

ACTION: Res. 86-1352 adopted awarding contract. (Eng to handle)

CONSENT

12. Consider awarding contract to Morisoli Construction for installation of a traffic signal on Standiford Avenue at Prescott Road. (Memo with agenda. Bids were opened on December 9, 1986. Nine bids were received. Morisoli Construction was the low bidder at \$80,000. This is 11% below the estimate and is acceptable. Resolution awarding contract needed. Funds are budgeted.)

ACTION: Res. 86-1353 adopted awarding contract. (P/T to handle)

CONSENT

13. Consider awarding contract for landscape maintenance services from January 1, 1987 through December 31, 1987 for pump stations and lift stations to Continental Landscaping. (Memorandum with agenda. Resolution approving landscape maintenance agreement needed. Estimated cost: \$17,640. Funds are budgeted.)

ACTION: Res. 86-1354 adopted awarding contract. (Finance to handle)

14. Consider declaring Bay-Cal Equipment, Inc. low bidder and authorize the purchase of one loader/backhoe for the total price of \$22,440 including trade-in. (Memorandum with agenda. Resolution awarding bid to Bay-Cal Equipment, Inc. needed. Funds are budgeted.)

ACTION: Res. 86-1355 adopted (Lang/Whiteside, unan.) awarding bid. (Finance to handle)

CONSENT

15. Consider awarding contracts for purchase of panel system workstations as follows:
- a. Item 1 from L. M. Morris for the total price of \$4,476.22
  - b. Item 2 from JHL Office Interiors for the total price of \$7,741.18
  - c. Item 3 from the Warden's Office for the total price of \$6,162.63.
- (Memorandum with agenda. Resolution awarding bid needed. Estimated cost: \$18,380.03. Funds are budgeted.)

ACTION: Res. 86-1356 adopted awarding bid. (Finance to handle)

CONSENT

16. Consider annulment of award of contract and forfeiting bid bond, and authorization for waiving of formal bidding procedures for the reroofing of Building No. 2 at the Modesto City-County Airport.  
(Memo with agenda. Resolution approving annulment of award of contract and forfeiting bid bond needed, and resolution authorizing the waiving of formal bidding procedures needed. (Five affirmative votes needed.)  
Estimated cost: \$21,200. Funds are budgeted.)

ACTION: Res. 86-1357 adopted annulling award of contract and forfeiting bid bond.  
Res. 86-1358 adopted waiving formal bid procedures. (Eng to handle)

CONSENT

17. Consider acceptance of Con J. Franke Electric's contract for the construction of substation "A" at the Water Quality Control Plant.  
(Original contract: \$143,960)  
(All work on this project has been completed to the satisfaction of the Engineering and Utility Services 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: \$142,630.63. Funds are budgeted.)

ACTION: Res. 86-1359 adopted accepting contract as complete. (Clerk to handle)

WRITTEN COMMUNICATIONS

CONSENT

18. Letter from Dolores Niemi requesting an amendment to the Zoning Regulations to restrict the use of live animals on Christmas tree lots.  
(Motion referring to staff needed.)

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

CONSENT

- 18A. Letter from Phil Rosenburg, Stanislaus County Chief Administrative Officer, concerning an ordinance regulating smoking.  
(Motion referring to staff needed.)

ACTION: By motion, request referred to staff. (Manager to handle)

19.

MATTERS FOR THE GOOD OF THE COMMUNITY

(These may be presented by interested persons in the audience.)

None

NEW BUSINESS

20. Council consideration of options for financing the acquisition of the Crocker Bank building and various projects scheduled in the Capital Improvement Program.  
(Memo with agenda. Resolution authorizing staff to arrange financing consistent with the option selected by Council needed.)

ACTION: Res. 86-1359A adopted (Lang/Sutton, majority, McGrath and Patterson-no) approving agreement.  
Res. 86-1360 adopted (Lang/Sutton, majority, McGrath and Patterson-no) approving Option #2, and authorizing staff to arrange financing.

There was a five minute recess at 7:50 p.m.

Councilmember Lang was excused at 7:50 p.m.

21. Presentation of the City of Modesto's audited Comprehensive Annual Financial Report for the fiscal year ended June 30, 1986.  
(Memo and copy of report with agenda. Motion acknowledging receipt of report needed.)

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

CONSENT

22. Monthly Treasurer's Report for November, 1986.  
(Report with agenda. Motion acknowledging receipt of report needed.)

ACTION: By motion, receipt of report acknowledged.

23. Consider report on New Brown Act Open Meeting Requirements.  
(Memo with agenda. Motion acknowledging receipt of report needed.)

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

CONSENT

24. Consider approving an increase in fees and charges at the Airport for offices, hangars and tie-down fees and an increase in the fuel flowage fees.  
(Memo with agenda. Resolution approving fee increase needed.)

ACTION: Res. 86-1361 adopted approving fee increase. (Finance to handle)

CONSENT

25. Consider approving lease agreement with Larry A. and Patricia L. Askew and David and Sandra Mesenhimer, individuals dba Modesto Flight Center. (This one-year renewal of an existing lease. Rent is established by resolution of the Council and is presently \$165 per month for the office and \$87 per month for the tie-downs based on a per square foot value. All other terms remain the same. Resolution approving agreement needed.)

ACTION: Res. 86-1362 adopted approving agreement. (Utility Serv to handle)

CONSENT

26. Consider approval of final map of Cedar Creek Estates No. 2 subdivision of the City of Modesto and consider accepting the improvements. Developer: Cedarbrook Homes, Inc. (All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Cedar Creek Estates No. 2 is located west of Claus Road and south of East Orangeburg Avenue. It contains 3.143 acres. Resolution approving final map and accepting improvements needed.)

ACTION: Res. 86-1363 adopted approving final map. (Clerk to handle)

CONSENT

27. Consider approval of the final map of Cape Cod Estates No. 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: Pan Capital (The subdivision agreement has been signed and all fees paid. Cape Cod Estates is located south of Hatch Road and west of Ustick Road. It contains 11.469 acres. Resolution approving final map needed.)

ACTION: Res. 86-1364 adopted approving final map. (Clerk to handle)

CONSENT

28. Consider acceptance of improvements in Orangeburg Gardens Unit No. 1 subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. Developer: Horn Construction (Orangeburg Gardens Unit No. 1 subdivision is located on the north side of East Orangeburg Avenue and west of Claus Road. All improvements have been completed to the satisfaction of the Engineering Department and fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 86-1365 adopted accepting improvements as complete. (Clerk to handle)

CONSENT

29. Consider approval of Riverside Neighborhood Park Master Plan. Master Plan report with agenda. Motion approving Riverside Neighborhood Park Master plan needed, and resolution approving Environmental Review needed.)

ACTION: By motion, Riverside Neighborhood Park Master Plan approved.  
Res. 86-1366 adopted approving Environmental Review. (P/R to handle)

30. Consider request by King-Kennedy Center Board for financial assistance for Juneteenth Day at Mellis Park.  
(The Board is requesting the City pay the insurance for Juneteenth Day on June 13, 1987, at Mellis Park. Staff has reviewed the request with the Board and recommends approval. Memo with agenda. Resolution approving request needed, and resolution approving appropriation transfer needed.)  
(Councilmember Patterson will be excused due to a conflict of interest.)

ACTION: Res. 86-1367 adopted (Sutton/McGrath, unan., Lang and Patterson absent) approving request.  
Res. 86-1368 adopted (same vote) approving appropriation transfer. (P/R to handle)

CONSENT

31. Consider revisions to the terms of Youth Commissioners.  
(Currently each Commissioner serves one year with one-half of the Commissioners appointed December 1, and one-half appointed June 1. The Youth Commission recommends changing the term of two years beginning June 1, of each year. Memo with agenda. Resolution revising terms needed.)

ACTION: Res. 86-1369 adopted revising terms. (P/R to handle)

CONSENT

32. Consider request for water service to property outside City limits at 2024 Woodland Avenue, located on the south side of Woodland Avenue between Yellowstone and Rosemore. (Owners: Edward T. and Nina L. Faria.)  
(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. 86-1370 adopted approving agreement. (Eng to handle)

CONSENT

33. Consider approving grant application for Federal funding to update the Modesto Airport Master Plan and authorize the City Manager to execute on behalf of the City.  
(Memo with agenda. Resolution approving grant application needed. Estimated cost: \$50,000 (Federal \$45,000; City \$5,000). Funds are budgeted.)

ACTION: Res. 86-1371 adopted approving grant application.  
(Utility Services to handle)

CONSENT

34. Consider joining in amicus curiae brief in the case of Nollan v. California Coastal Commission. (Issue: Legality of dedications required as a condition of a permit.)  
(Memo with agenda. Motion authorizing joining in the amicus curiae brief needed.)

ACTION: By motion, authorized joining in the amicus curiae brief.  
(Attorney to handle)

MISCELLANEOUS

35. Appointments

- a. Youth Commission

ACTION: Res. 86-1372 adopted (McGrath/Whiteside, unan., Lang absent)  
appointing Youth Commissioners (Erin Higby, John Souza, Kristine Van Tress, Kate Renwick, Stephanie Acker, Hillary Jensen, Jennifer Henry, Tiffany Coodey, Jim Munoz, Debbie Vermeulen, and Sean Caster)

- b. Other

None

36.

MATTERS TOO LATE FOR THE AGENDA

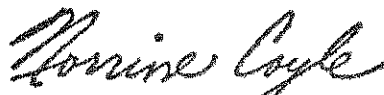
(These may be presented by members of the City Council and staff.)

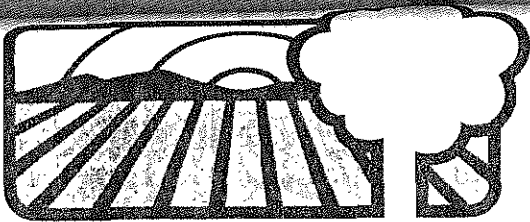
By motion (Patterson/McGrath, unan., Lang absent) staff directed to respond to the Grand Jury's letter with the reasons for setting the speed limits as they are on Standiford Avenue. (P/T to handle)

ADJOURNMENT

The meeting adjourned at 8:47 p.m.

ATTEST:

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



# MODESTO CITY COUNCIL

## MINUTES AND ACTION AGENDA

AGENDA FOR COUNCIL MEETING OF TUESDAY, DECEMBER 23, 1986, AT 7:30 P.M.

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

Absent: None

Pledge of allegiance to the Flag

CONSENT ITEMS - ROLL CALL VOTE REQUIRED: Items 2, 3a, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33a

Removed from consent: 3b

ACTION: (Muratore/Lang, unan.)

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

## ACKNOWLEDGEMENTS AND PRESENTATIONS

1. a. Award of prizes for Intracity Transit's "Name the Bus" contest.

Mayor Mensinger presented awards to Damon Lewis and Valli Wyatt. The third winner, Robert Sprague, Jr. was not present.

- b. Status report on Forward Modesto IV from Steering Committee Co-Chairperson, Pam Fisher.

A report was made by Pam Fisher.

## MINUTES

### CONSENT

2. Approval of the minutes of the December 16, 1986, regular City Council meeting.  
(Motion approving needed.)

ACTION: By motion, minutes approved.

(Clerk to handle)

UNFINISHED BUSINESS

3. Final adoption of:  
CONSENT

- a. Ord. No. 2463-C.S. amending P-D(365) to allow a patio home subdivision on the southeast corner of Pelandale Avenue and Honey Creek Road (Bennett and Compton, Inc.).

ACTION: By motion, Ord. No.2463-C.S. adopted. (Clerk to handle)

- b. Ord. No. 2465 amending Section Map 32-3-9 of the Zoning Map to rezone from R-2 to P-D(411) property located on Sierra Drive and Rosedale Avenue (Brethren Community Services).  
Councilmember Lang excused due to a conflict of interest.

ACTION: By motion (Whiteside/McGrath, unan., Lang absent) Ord. No. 2465 adopted. (Clerk to handle)

4. Consider certification of environmental review of City acquisition of Crocker Bank property.  
(Memorandum with agenda. Resolution certifying review of environmental assessment needed.)

ACTION: Res. 86-1373 adopted (Sutton/Muratore, majority, McGrath, Patterson-no) certifying review of environmental assessment.  
(Planning to handle)

HEARINGS

5. Report on cost of curb and sidewalk construction (9 items)

- a. Curb and sidewalk at 306 Conejo Avenue, Portion of Block 2184-A (E. Curtis and Lois A. Camp - \$1,750)
- b. Sidewalk along Rosina Avenue at 1705 Miller Avenue, Lot 7 of Block 2132-A (Michael and Lisa Delfley, Jr.- \$509)
- c. Curb and sidewalk at 1613 Timothy Avenue, Lot 4 of Block 6133 (Carney and Deborah Lansford - \$944)
- d. Curb and sidewalk at 1621 Timothy Avenue, Lot 2 of Block 6133 (Carney and Deborah Lansford - \$944)
- e. Curb and sidewalk at 1627 Timothy Avenue, Lot 1 of Block 6133 (Carney and Deborah Lansford - \$2,864)
- f. Curb and sidewalk at 1617 Timothy Avenue, Lot 3 of Block 6133 (Carney and Deborah Lansford - \$944)

- g. Sidewalk at 207 Rosina Avenue, Lot 5 of Block 2132 (Rose K. Martin - \$342)
- h. Sidewalk at 211 Rosina Avenue, Lot 4 of Block 2132 (Rose K. and Robert Joe Martin - \$342)
- i. Sidewalk at 1605 Timothy Avenue, portion of Block 6133 (Elizabeth T. Soderstrom - \$512)

ACTION: By motion (Whiteside/Lang, unan.) Hearing continued to January 13, 1987, at 7:30 p.m. (Clerk to handle)

- 6. Hearing to consider appeal of Mid-Valley Engineering to a decision of the E.A.C. requiring an environmental impact report for Dry Creek Meadows. (Continued from 12-9-86 meeting)

ACTION: Res. 86-1374 adopted (Muratore/Sutton, unan.) granting the appeal and issuing a mitigated negative declaration. (Clerk/Planning to handle)

- 7. Appeal of Mid-Valley Engineering to a Planning Commission decision regarding Leonard Jackson vesting tentative parcel map, property located at the northwest corner of Merle Avenue and Roselle Avenue.

ACTION: By motion (Lang/Whiteside, unan.) withdrawal of appeal acknowledged.

- 8. Hearing to consider an amendment to Section Map 20-3-9 of the Zoning Map to rezone from R-1 to R-2, property located on the north side of West Roseburg Avenue east of Tully Road. (Joseph Simile)

ACTION: By motion (Lang/Muratore, unan.) Ord. No. 2466-C.S. introduced. Res. 86-1375 adopted certifying review of Environmental Assessment. (Clerk/Planning to handle)

- 9. Hearing to consider appeal by Raymond Abst to a Board of Zoning Adjustment decision denying a variance from side and rear-yard setbacks at 901 Brady Avenue. Councilmember Muratore excused due to a conflict of interest.

ACTION: A motion to grant the appeal (Patterson/McGrath, Lang, Sutton, Whiteside, Mensinger - no, Muratore absent) failed to carry. Res. 86-1376 adopted (Lang/Whiteside, majority, McGrath and Patterson-no, Muratore absent) denying appeal. (Planning to handle)

10. Hearing to consider adjustments to garbage rates. (Continued from 12-9-86 meeting.)  
Councilmember Sutton excused due to a conflict of interest.

ACTION: Res. 86-1377 adopted (Lang/Muratore, unan., Sutton absent) approving rates.

By motion (Lang/Muratore, majority, McGrath and Patterson - no, Sutton absent) directed staff to bring a statement of intent to the Council prior to negotiating with Touche Ross.

By motion (Lang/Muratore, unan., Sutton absent) approved other staff recommendations. (Utility Services to handle)

11. Hearing to consider request by Orangeline Sanitation for a 3-year license extension. (Continued from 12-9-86 meeting.)  
Councilmember Sutton excused due to a conflict of interest.

ACTION: By motion (Lang/Muratore, unan., Sutton absent) hearing continued to February 10, 1987, 7:30 p.m. (Clerk to handle)

#### BIDS

#### CONSENT

12. Consider award of contract for Highway Bridge Replacement and Rehabilitation Program Project BRSOS-099(1) removal and replacement of the bridge crossing Modesto Irrigation District Lateral No. 5 at California Avenue to Floyd Johnston Construction, Inc. (Memo and bid tabulation with agenda. Resolution awarding contract to Floyd Johnston Construction, Inc. needed. Estimated cost: \$119,008.90. Funds are budgeted.)

ACTION: Res. 86-1378 adopted awarding contract. (Eng. to handle)

#### CONSENT

13. Consider award of FAUE Project No. M-F 216(2) Tully Road canal crossing at Modesto Irrigation District Lateral No. 6 to Floyd Johnston Construction, Inc. (Memo and bid tabulation with agenda. Resolution awarding contract to Floyd Johnston Construction, Inc., and a resolution amending the budget needed. Estimated cost: \$181,872. Funds are budgeted.)

ACTION: Res. 86-1379 adopted awarding contract.  
Res. 86-1380 adopted amending budget. (Eng to handle)

#### CONSENT

14. Consider award of contract for the Mellis Park masonry wall to Tri County Builders, Inc. (Memo and bid tabulation with agenda. Resolution awarding contract needed. Estimated cost: \$17,552.58. Funds are budgeted.)

ACTION: Res. 86-1381 adopted awarding contract. (Eng to handle)

CONSENT

15. Consider award of contract for the vehicle wash facility at the Corporation Yard to Phillips General Construction.  
(Memo and bid tabulation with agenda. Resolution awarding contract to Phillips General Construction needed. Estimated cost: \$137,148. Funds are budgeted.)

ACTION: Res. 86-1382 adopted awarding contract. (Eng to handle)

CONSENT

16. Consider rejection of bids for the City Corporation Yard Expansion.  
(Memo and bid tabulation with agenda. Resolution rejecting bids for the City Corporation Yard expansion needed.)

ACTION: Res. 86-1383 adopted rejecting bids. (Eng to handle)

CONSENT

17. Consider declaring Action Equipment Company low bidder and authorize the purchase of one air compressor for the total price of \$6,126.  
(Memorandum with agenda. Resolution awarding contract to Action Equipment. Funds are budgeted.)

ACTION: Res. 86-1384 adopted awarding contract. (Finance to handle)

CONSENT

18. Consider acceptance of San Con Engineering's contract for the repair of the outfall trunk sewer. (Original contract: \$414,875)  
(All work on this project has been completed to the satisfaction of the Engineering and Utility Services 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: \$397,099. Funds are budgeted.)

ACTION: Res. 86-1385 adopted accepting contract as complete. (Clerk to handle)

CONSENT

19. Consider acceptance of Vern Taylor & Son, Inc.'s contract for the remodeling of the City of Modesto Corporation Yard lunchroom. (Original contract: \$10,785)  
(All work on this project has been completed to the satisfaction of the Engineering and Utility Services 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: \$12,524. Funds are budgeted.)

ACTION: Res. 86-1386 adopted accepting as complete. (Clerk to handle)

CONSENT

20. Consider acceptance of Bond Construction's contract for the Morse Avenue water line extension from Woodland Avenue to 800 feet south. (Original contract: \$13,850)  
(All work on this project has been completed to the satisfaction of the Engineering Department. Therefore it is in order to accept the work as complete and to file the Notice of Completion needed. Final cost: \$13,390. Funds are budgeted.)

ACTION: Res. 86-1387 adopted accepting as complete. (Clerk to handle)

CONSENT

21. Consider waiving formal bid procedures and authorize the purchase of one recording system for Council Chambers from California Copy for the total price of \$5,959.  
(Memorandum with agenda. Resolution waiving formal bid procedures and authorizing purchase needed. (Five affirmative votes needed.) Funds are budgeted.)

ACTION: Res. 86-1388 adopted waiving formal bid procedures.  
(Finance to handle)

22. MATTERS FOR THE GOOD OF THE COMMUNITY  
(These may be presented by interested persons in the audience.)

Joe Byrne commented that veterans groups say the Community Center is a good project.

NEW BUSINESS

23. Consider incentive program for expansion of business and industry.  
(Proposal of ordinance to encourage development of employment based on the following:
- 1) Reimbursement of water connection charges
  - 2) Accelerated inspection and plan checking process
  - 3) Reimbursement of inspection and plan checking fees.

(Memo with agenda. Motion directing staff needed.)

ACTION: By motion (Sutton/Lang, unan.) staff directed to proceed with preparation of an ordinance.  
(Economic Development Director to handle)

CONSENT

24. Consider excusing Mayor Mensinger's absence from the City Council meeting of December 9, 1986, due to attendance at a meeting in Denver, Colorado with the Economic Development Manager, representatives of the Board of Supervisors and SCEDCO, and executives of the Oscar Mayer Company, parent company of the Louis Rich Company.  
(Motion excusing needed.)

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

CONSENT

25. Consider approval of agreement with Stanislaus County to provide funding for jury transportation service.  
(Memo with agenda. The agreement requires up to \$1,250 each from the City and the DID to pay for jury bus maintenance and operation costs from 1/1/87 through 6/30/87. Resolution approving agreement needed, and resolution amending the Annual Budget needed.)

ACTION: Res. 86-1389 adopted approving agreement.  
Res. 86-1390 adopted amending budget. (P/T to handle)

CONSENT

26. Report that lease on Parking Lot 30 (12th between J and K Streets) is being cancelled.  
(Memo with agenda. Lease is being cancelled by landlord effective 2/1/87. Motion acknowledging receipt of report needed.)

ACTION: By motion receipt of report acknowledged.

CONSENT

27. Consider modifying various speed limits on city streets.  
(Memo with agenda. The streets affected are Conant, 9th and Veneman. Introduction of an ordinance needed. Estimated cost: \$240. Funds are budgeted.)

ACTION: By motion, Ord. No. 2467-C.S. introduced. (Clerk to handle)

CONSENT

28. Consider request for financial assistance from Creative Alternatives for the National Council of Senior Citizens Senior Aides Program.  
(Memo with agenda. Motion acknowledging receipt of request and directing staff needed.)

ACTION: By motion, receipt of report acknowledged and City Manager directed to contact Creative Alternatives and explain why the City is not able to assist.

CONSENT

29. Consider abandonment of the excess right of way for Yellowstone Avenue in Block 5272 of the City of Modesto.  
(Memo with agenda. Resolution vacating and abandoning the excess right of way for Yellowstone Avenue in Block 5272 needed.)

ACTION: Res. 86-1391 adopted abandoning excess right of way. (Eng. to handle)

CONSENT

30. Consider approval of the final map of Tully Manor No. 7 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: Stone Bros. & Associates)  
(The subdivision agreement has been signed and all fees paid. Tully Manor No. 7 is located at the northeastern corner of Carver Road and Montclair Drive. It contains 1.555 acres. Resolution approving final map needed.)

ACTION: Res. 86-1392 adopted approving final map. (Clerk to handle)

CONSENT

31. Consider acceptance of improvements in August Glen subdivision and authorize City Clerk to file Notice of Completion and release bonds upon expiration of statutory periods. (Developer: August Glen Partnership)  
(August Glen subdivision is located east of Morse Road between Blue Gum Avenue and Woodland Avenue. All improvements have been completed to the satisfaction of the Engineering Department and all fees have been paid. Resolution accepting improvements needed.)

ACTION: Res. 86-1393 adopted accepting improvements as complete.  
(Clerk to handle)

CONSENT

32. Consider budget amendment required to appropriate an approved State grant for the development of Beyer Community Park.  
(Memo with agenda. Resolution amending the Fiscal Year 1986-87 Annual Budget needed.)

ACTION: Res. 86-1394 adopted amending the Fiscal Year 1986-87 Annual Budget.  
(Finance to handle)

MISCELLANEOUS

33. Appointments

CONSENT

- a. Consider request by Greater Modesto Community Foundation Board to reappoint members Lowell Clark and Lee Hampson for another five-year term ending December 31, 1991.  
(Resolution reappointing members needed.)

ACTION: Res. 86-1395 adopted reappointing members. (Clerk to handle)

- b. Other

None

34.

MATTERS TOO LATE FOR THE AGENDA

(These may be presented by members of the City Council and staff.)

None

ADJOURNMENT

The meeting adjourned at 11:23 p.m.

ATTEST: *Norrine Coyle*  
NORRINE COYLE, City Clerk